

THE STATE CAPITOL AT AUSTIN

A  
HISTORY OF TEXAS  
FOR SCHOOLS

ALSO FOR GENERAL READING AND FOR TEACHERS  
PREPARING THEMSELVES FOR EXAMINATION

BY

MRS. ANNA J. HARDWICKE PENNYBACKER

*REVISED (1912) EDITION*

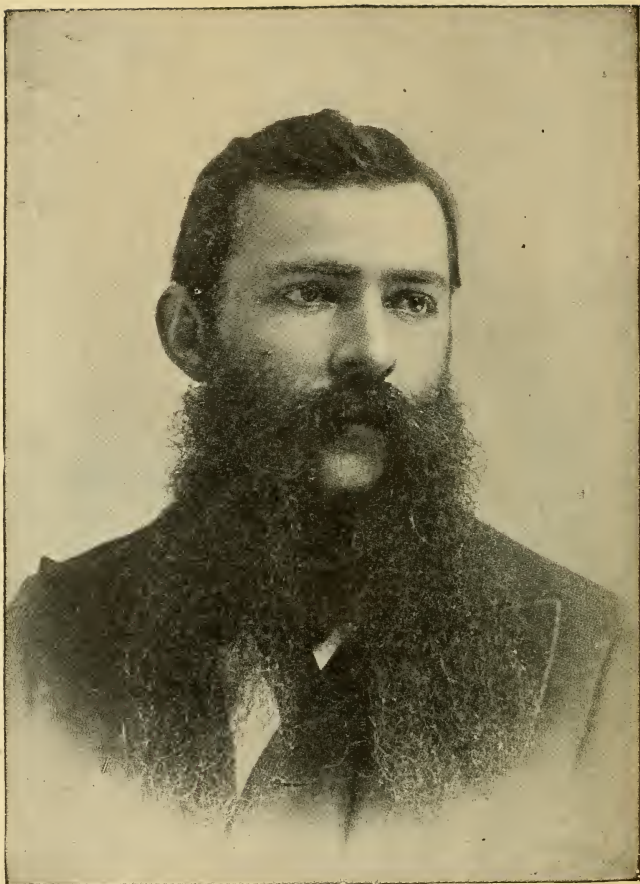
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## PREFACE

As has often been said, there is no other State in the Union whose history presents such varied and romantic scenes as does that of Texas. This alone would recommend it to the general reader and the earnest student. But there is, in addition to its interest, a potent reason why every school in the State should give Texas History a place in its course of study. No one who learns well the lessons therein taught can fail to become a better and a wiser citizen.

This volume attempts to picture the principal events in our history in an easy, natural, and yet vivid style.

It is written from the standpoint of a teacher who believes that success in teaching history demands not only a live instructor, but also a live text-book. No pains have been spared to obtain the opinion of the best authorities on every disputed point; accuracy has never been sacrificed for the sake of an attempt at a "brilliant period"; yet, on the other hand, every effort has been made to render the subject fascinating to the child mind. It is hoped that the numerous maps and illustrations will aid both the teacher and the pupil. Special attention is called to the Supplementary Work at the close of each era. The limited space of a text-book forbids further details as to biographics, manners, and customs, as it also excludes additional extracts from original papers; but those that are given will be sufficient to guide the thoughtful instructor and to show that history is not merely a dry recital of facts. When one remembers that Texas History is studied from the fifth grade in our public schools to the Agricultural and Mechanical College and the State Normals, it will be seen that the preparation of a text-book on the subject is beset with difficulties; the style must not be too abstract for the child nor yet too simple for the adult; subjects that are beyond the comprehension of the young pupil must be treated of for the benefit of the older student. To meet this difficulty the author has provided, in supplementary notes, a good deal of matter that should not be required of the younger children. The teacher will, of course, use his own discretion in omitting such topics and such notes as he deems unsuited to the needs of his class.

The author has wished to show the causes and results of leading events, thus encouraging the scholar to dip into the philosophy of history. An earnest appeal is made to the teacher to develop more fully this feature



of the work. The pupil who learns to *think* over his history lesson, who asks himself the why and the wherefore, is not merely acquiring historical knowledge—he is also developing his powers of thought.

No occasion should be lost to cultivate true patriotism; this means not the blind egotism that asserts our State to be without blemish, but the wise love that sees all faults, and seeing, resolves to correct the same. March 2d and April 21st should never pass without some exercise that tends to make our youth revere and honor the men who made those days immortal.

In presenting this revised edition of Pennybacker's HISTORY OF TEXAS, the author wishes to return grateful acknowledgment to the late Dr. George P. Garrison, Professor of History in the University of Texas, whose historical criticism and friendly counsel, so generously given, have been invaluable. The author is also indebted to Dr. Herbert E. Bolton, Department of History, University of California, to the late Judge C. W. Raines and Mr. E. W. Winkler of the State Library. Through the fine courtesy of the authors, several illustrations from Bolton and Barker's "*With the Makers of Texas*" are reproduced. The encouraging words and cordial assistance of her co-workers, the teachers of Texas, will ever be cherished by the author, who takes this opportunity of thanking them.

ANNA J. HARDWICKE PENNYBACKER.

AUSTIN, TEXAS, May, 1912.





## ERA I.—EXPLORERS AND FIRST SETTLERS.

	PAGE		PAGE
French Claims . . . . .	1	Numbers of Indians . . . . .	16
La Salle . . . . .	2	Timber Tribes . . . . .	16
La Salle's Return . . . . .	3	Food . . . . .	17
La Salle's Last Voyage . . . . .	4	Buffalo Hunting . . . . .	17
La Salle and Beaujeu . . . . .	4	Dress . . . . .	18
Fort St. Louis . . . . .	6	Religion . . . . .	18
Search for the Mississippi . . . . .	6	Plains Tribes . . . . .	20
Murder of La Salle . . . . .	8	Coast Tribes . . . . .	21
The Colony . . . . .	9	Indian Wars and Migrations . . . . .	21
Spanish Claims . . . . .	9	Moral Condition of Indians . . . . .	22
Spanish Search for La Salle . . . . .	10	Beginning of Missions . . . . .	23
First Texas Mission . . . . .	10	Plan of Missions . . . . .	23
Crozat Grant . . . . .	10	Life in Missions . . . . .	24
Attempts to Open Trade . . . . .	12	The Alamo . . . . .	26
Saint-Denis . . . . .	12	San José . . . . .	26
Spanish Expedition . . . . .	13	Concepción . . . . .	28
Founding of San Antonio . . . . .	14	Other Missions . . . . .	29
East Texas Missions Abandoned . . . . .	14	Last Mission . . . . .	30
A Noble Marquis . . . . .	14	Condition of Texas . . . . .	30
Colonists . . . . .	15	Summary . . . . .	31
Louisiana Ceded to Spain . . . . .	15	Supplementary Work . . . . .	32
Native Indians . . . . .	16	Blackboard Analysis . . . . .	34
The Name Texas . . . . .	16		

## ERA II.—ERA OF FILIBUSTERS.

Affairs in Spain . . . . .	36	Fate of Nolan's Men . . . . .	38
Hidalgo's Revolution . . . . .	36	Louisiana Purchase . . . . .	39
Republic of Mexico . . . . .	37	Neutral Ground . . . . .	39
Nolan's Expedition . . . . .	37	Magee's Expedition . . . . .	40

## ERA II.—ERA OF FILIBUSTERS.—Continued.

	PAGE		PAGE
Siege of Goliad . . . . .	41	Long Asks Aid from Lafitte . . . . .	47
Battle of Rosillo . . . . .	41	Long's Second Expedition . . . . .	48
Spanish Officers Murdered . . . . .	42	Importance of this Era . . . . .	49
Victory at the Alazan . . . . .	42	Summary . . . . .	49
Defeat at the Medina . . . . .	42	Supplementary Work . . . . .	50
Republicans on Galveston Island . . . . .	44	Manners and Customs . . . . .	53
Lafitte . . . . .	44	Story of Mrs. Long . . . . .	53
Texas Exchanged . . . . .	47	Story of Peter Ellis Bean . . . . .	55
Long's First Expedition . . . . .	47	Blackboard Analysis . . . . .	57

## ERA III.—ERA OF COLONIZATION.

Moses Austin . . . . .	59	Year of Immigration . . . . .	73
Stephen F. Austin . . . . .	60	Texas Joined to Coahuila . . . . .	73
Inducements Offered Colonists . . . . .	61	Local Government . . . . .	74
Schooner Lively . . . . .	62	Indians . . . . .	74
Austin Settles on Brazos . . . . .	64	Character of the Colonists . . . . .	74
Trip to Mexico . . . . .	64	Crowth of Texas . . . . .	75
Success of Mission . . . . .	64	Summary . . . . .	75
Growth of Colony . . . . .	65	Manners and Customs . . . . .	76
Later Contracts . . . . .	66	Gentle Breeding . . . . .	81
DeWitt's Colony . . . . .	66	Visit to DeWitt's Colony . . . . .	81
James Kerr . . . . .	67	A Wedding . . . . .	82
Gonzales Founded . . . . .	67	German Colonists . . . . .	84
De León's Colony . . . . .	67	Wacoos and Tawacanies . . . . .	86
DeWitt and De León . . . . .	67	Tricky Tonkewas . . . . .	86
Austin as Peace-maker . . . . .	69	Kindness of Early Settlers . . . . .	87
Edwards's Colony . . . . .	69	Negroes from Africa . . . . .	88
Troubles of Colony . . . . .	69	English Colonists . . . . .	89
Edwards Ordered to Leave . . . . .	70	A Ball . . . . .	89
Edwards Rebels . . . . .	71	Barbecue . . . . .	89
Republic of Fredonia . . . . .	71	Search for a Bible . . . . .	90
Fredonian Rebellion Fails . . . . .	72	Private School . . . . .	90
Unfortunate Results . . . . .	72	Blackboard Analysis . . . . .	92
Empresario System . . . . .	72		

## ERA IV.—ERA OF REVOLUTION.

Mexico Distrusts United States . . . . .	93	Taxes and Custom Houses . . . . .	96
Mexico Republic in Name . . . . .	94	Military Occupation . . . . .	96
Causes of the Texas Revolution . . . . .	95	No Sympathy Between Races . . . . .	97
Decree of 1830 . . . . .	95	Captain Bradburn . . . . .	97
Settlement of Convicts . . . . .	95	Arrest of Travis and Others . . . . .	98
Union with Coahuila . . . . .	95	Troubles at Anahuac . . . . .	98

ERA IV.—ERA OF REVOLUTION.—Continued.

	PAGE		PAGE
Turtle Bayou Resolutions . . . . .	99	The State and the Alamo . . . . .	134
Piedras . . . . .	99	Alamo Monuments . . . . .	134
Capture of Velasco . . . . .	100	Why Travis was not Reënforced . . . . .	135
Colonial Mejía . . . . .	101	Declaration of Independence . . . . .	137
Piedras Forced Out . . . . .	102	Government ad Interim . . . . .	137
Santa Anna and Bustamante . . . . .	103	Recruits for the Army . . . . .	137
First Convention . . . . .	103	Houston's Difficulties . . . . .	138
Mexican Opposition . . . . .	105	General Urrea . . . . .	140
Second Convention . . . . .	105	Grant and Johnson . . . . .	140
Memorial . . . . .	105	King and Ward . . . . .	140
Constitution . . . . .	106	Fannin . . . . .	141
Commissioners . . . . .	106	Fatal Delay . . . . .	141
Santa Anna's Plans . . . . .	107	Battle of the Coleto . . . . .	142
Farias Prevents Dictatorship . . . . .	108	Terms of Surrender . . . . .	143
Austin in Mexico . . . . .	108	The Massacre . . . . .	143
Austin Imprisoned . . . . .	109	Santa Anna's Excuse . . . . .	144
Santa Anna and Austin . . . . .	110	Houston Decides to Retreat . . . . .	145
Review . . . . .	111	Houston's Reasons . . . . .	145
Immediate Cause of Revolution . . . . .	113	Runaway Scrape . . . . .	146
Gloomy Outlook . . . . .	113	Line of Retreat . . . . .	146
Committees of Safety . . . . .	113	Santa Anna's Movements . . . . .	147
War and Peace Parties . . . . .	113	Battle of San Jacinto . . . . .	150
Troubles at Anahuac . . . . .	114	The Pursuit . . . . .	152
De Zavala . . . . .	114	Results . . . . .	152
Austin's Return . . . . .	115	Santa Anna a Prisoner . . . . .	152
Troops Sent Into Texas . . . . .	115	Rusk Succeeds Houston . . . . .	154
Skirmish at Gonzales . . . . .	115	Treaties With Santa Anna . . . . .	155
Capture of Goliad . . . . .	117	Santa Anna in Danger . . . . .	156
Battle of Concepción . . . . .	117	Santa Anna Released . . . . .	157
Texas Army . . . . .	119	Mexican Troops Withdrawn . . . . .	157
Burleson in Command . . . . .	120	Commissioners . . . . .	158
Ben Milam's Plan . . . . .	120	Texas Navy . . . . .	158
Storming of San Antonio . . . . .	121	The "Horse Marines" . . . . .	159
Milani's Death . . . . .	121	Army in Readiness . . . . .	159
Surrender of Cos . . . . .	122	Summary . . . . .	159
General Consultation . . . . .	123	Supplementary Reading . . . . .	162
Governor and Council Disagree . . . . .	124	Governor Smith's Address . . . . .	162
Matamoras Expedition . . . . .	124	Declaration of Independence . . . . .	163
Governor Smith's Letter . . . . .	125	Santa Anna to Filisola . . . . .	169
Loan Secured . . . . .	126	Houston's Report of San Ja-	
Santa Anna's Preparations . . . . .	126	cinto . . . . .	169
Points of Attack . . . . .	126	Santa Anna's Report of San	
Texas Garrison at San Antonio . . . . .	128	Jacinto . . . . .	172
First Day of the Siege . . . . .	129	Delegado's Account of San Ja-	
Succeeding Days of Siege . . . . .	132	cinto . . . . .	175
The Attack . . . . .	132	Robinson's Capture of Santa	
Funeral Pyre . . . . .	133	Anna . . . . .	177

## ERA IV.—ERA OF REVOLUTION.—Continued.

	PAGE		PAGE
Journal of Mrs. Dilue Harris	179	Search Questions . . . . .	183
Historical Recreations . . . .	182	Chronological Summary . . . .	184

## ERA V.—ERA OF THE REPUBLIC.

<b>Houston's Administration</b> . . . .	186	Battle at the Salado . . . . .	201
First Congress . . . . .	187	Dawson Massacre . . . . .	201
Death of Zavala . . . . .	187	Woll Returns to Mexico . . . .	202
Austin's Death . . . . .	187	Mier Expedition . . . . .	202
Congress Tries to Raise Money	189	Battle of Mier . . . . .	202
Courts Organized . . . . .	189	Treatment of Prisoners . . . .	204
Laws Passed . . . . .	189	Escape . . . . .	204
Mexico in Trouble . . . . .	190	The Fatal Lottery . . . . .	204
Texas Army . . . . .	190	Remaining Prisoners . . . . .	206
An Unfortunate Duel . . . . .	190	Snively Expedition . . . . .	206
Texas Republic Recognized by		Appeal to Great Powers . . . .	207
United States . . . . .	191	Hostilities Cease . . . . .	208
<b>Lamar's Administration</b> . . . .	192	Regulators and Moderators . .	208
European Nations Recognize		The Navy . . . . .	209
Texas . . . . .	192	Houston and Moore . . . . .	210
Troubles with Cherokees . . . .	193	Annexation . . . . .	210
Death of Comanche Chiefs . . . .	194	"Polk and Texas" . . . . .	211
Plum Creek and Comanche Vil-		<b>Jones's Administration</b> . . . .	212
lage . . . . .	194	Jones's Position . . . . .	212
Republic of the Rio Grande . . . .	195	Annexation Resolution Passes	
Santa Fé Expedition . . . . .	195	Congress . . . . .	212
Removal of Capital . . . . .	196	Offers From Mexico . . . . .	213
Financial Troubles . . . . .	196	Texas Accepts Annexation . . . .	213
Lamar Finds Educational Sys-		Summary . . . . .	214
tem . . . . .	197	Manners and Customs . . . . .	215
Progress . . . . .	197	Mrs. Dilue Harris . . . . .	215
Question of Annexation . . . . .	198	President Houston at a Ball . . .	215
<b>Houston's Second Administra-</b>		First Theater . . . . .	216
<b>tion</b> . . . . .	198	A Wedding . . . . .	216
Houston's Policy . . . . .	198	An Exciting Evening . . . . .	217
Mexican Invasion . . . . .	199	Locating the Capital . . . . .	218
Texas Resistance . . . . .	200	Schools . . . . .	220
The Archive War . . . . .	200	Search Questions . . . . .	221
Second Invasion . . . . .	201	Blackboard Analysis . . . . .	223

## ERA VI.—ERA OF THE STATE.

<b>Henderson's Administration</b> . . . .	224	<b>Wood's Administration</b> . . . .	227
Causes of Mexican War . . . . .	225	<b>Bell's Administration</b> . . . .	227
Texas' Record in War . . . . .	226	Boundary Between Texas and	
Results . . . . .	226	New Mexico . . . . .	227

ERA VI.—ERA OF THE STATE.—Continued.

	PAGE		PAGE
Compromise of 1850 . . . . .	228	<b>Pease's Administration</b> . . . . .	248
Texas Accepts Boundary Bill . . . . .	229	General Hancock . . . . .	248
Gold Fever . . . . .	229	Convention Called . . . . .	248
Austin Again Chosen Capital . . . . .	231	Governor Pease Resigns . . . . .	249
Henderson Becomes Governor . . . . .	231	Constitution Adopted . . . . .	249
<b>Pease's Administrations</b> . . . . .	231	<b>Davis's Administration</b> . . . . .	249
Public Debts . . . . .	231	Texas Re-admitted to Union . . . . .	249
Railroad Law . . . . .	231	Twelfth Legislature . . . . .	249
School Funds . . . . .	232	Austin Again Chosen Capital . . . . .	250
Public Institutions . . . . .	232	Exciting Election Scenes . . . . .	250
Negro Uprising . . . . .	232	<b>Coke's Administration</b> . . . . .	252
The Cart War . . . . .	233	Fears of Interference . . . . .	252
Know Nothing Party . . . . .	233	Difficulties, How Met . . . . .	252
<b>Runnel's Administration</b> . . . . .	234	Constitution of 1876 . . . . .	253
Indian Reservations . . . . .	234	Agricultural and Mechanical College . . . . .	253
Indians Driven Out . . . . .	235	Coke Resigns . . . . .	254
<b>Houston's Administration</b> . . . . .	235	<b>Hubbard's Administration</b> . . . . .	254
Cortina . . . . .	236	Penitentiaries . . . . .	254
Indians on the Border . . . . .	236	Frontier Protected . . . . .	254
Condition of the Country . . . . .	236	Debt and Immigration . . . . .	255
Houston Opposes Secession . . . . .	236	<b>Roberts's Administration</b> . . . . .	255
Texas Secedes . . . . .	236	Governor's Policy . . . . .	255
Texas Joins the Confederacy . . . . .	237	Prairie View Normal . . . . .	256
<b>Clark's Administration</b> . . . . .	237	Sam Houston Normal . . . . .	256
Preparations for War . . . . .	237	School Legislation . . . . .	256
Blockade . . . . .	238	Capitol Burned . . . . .	257
<b>Lubbock's Administration</b> . . . . .	239	<b>Ireland's Administration</b> . . . . .	257
Sibley Expedition . . . . .	239	State University . . . . .	257
Galveston Captured . . . . .	239	Asylums . . . . .	258
Galveston Retaken . . . . .	240	Fence-cutters . . . . .	258
Battle of Sabine Pass . . . . .	241	Greer County Question . . . . .	259
Houston's Death . . . . .	241	<b>Ross's Administration</b> . . . . .	260
<b>Murrah's Administration</b> . . . . .	242	Prohibition . . . . .	260
Banks on the Coast . . . . .	242	Drought . . . . .	260
Few Battles in Texas . . . . .	242	New Capitol . . . . .	260
Condition of Texas . . . . .	243	Money Received From United States . . . . .	261
Close of War . . . . .	244	New Public Institutions . . . . .	262
Last Battle . . . . .	244	<b>Hogg's Administration</b> . . . . .	262
Lawlessness . . . . .	244	Visit of President Harrison . . . . .	262
<b>Hamilton's Administration</b> . . . . .	245	Galveston Harbor . . . . .	263
General Granger in Command . . . . .	245	Railroad Commission . . . . .	263
Reconstruction Convention . . . . .	246	Alien Land Law . . . . .	264
<b>Throckmorton's Administration</b> . . . . .	246	Confederate Home . . . . .	264
President and Congress . . . . .	246	Sugar Bounty Refused . . . . .	265
Texas Again Under Military Rule . . . . .	247	Division in Democratic Party . . . . .	265
Governor Removed . . . . .	247		

## ERA VI.—ERA OF THE STATE.—Continued.

	PAGE		PAGE
Coxey Army . . . . .	265	Art in Texas . . . . .	274
Stock and Bond Law . . . . .	266	North Texas Normal . . . . .	274
Board of Pardon Advisors . . . . .	266	<b>Lanham's Administrations</b> . . . . .	275
Austin Dam . . . . .	266	Galveston County Taxes . . . . .	275
Financial Troubles . . . . .	266	Educational Matters . . . . .	275
<b>Culberson's Administrations</b> . . . . .	267	New Institutions . . . . .	276
School Tax . . . . .	267	The Alamo Property . . . . .	276
Land Leases . . . . .	267	Terrell Election Law . . . . .	276
Confederate Home . . . . .	268	Irrigation . . . . .	276
Anti-trust Laws . . . . .	268	<b>Campbell's Administrations</b> . . . . .	277
Arbitration Law . . . . .	268	Important Laws . . . . .	277
Confederate Reunion . . . . .	269	Library Commission . . . . .	280
Special Session Legislature . . . . .	269	Conference for Education . . . . .	280
Governor Vetoes Appropriation Bill . . . . .	269	San Jacinto Battle Field . . . . .	280
Fee Bill . . . . .	269	<b>Colquitt's Administration</b> . . . . .	281
Spanish-American War . . . . .	270	Home for Confederate Women . . . . .	281
<b>Sayers's Administrations</b> . . . . .	270	Prohibition Defeated . . . . .	282
Brazos Floods . . . . .	270	School Laws . . . . .	282
Ruin of Austin Dam . . . . .	271	Texas Educational Rank . . . . .	285
Galveston Storm . . . . .	271	Causeway at Galveston . . . . .	286
Commission Government . . . . .	273	Growth of University . . . . .	286
Discovery of Oil . . . . .	273	Texas Veterans . . . . .	286
Confederate Reunion . . . . .	274	Conclusion . . . . .	287
Drought and Boll-weevil . . . . .	274	Summary . . . . .	287
Railway Building . . . . .	274	Search Questions . . . . .	288
		Blackboard Analysis . . . . .	291

## NOTES ON ERA I.

La Salle . . . . .	294	Father Massanet . . . . .	297
La Salle's Letter to His Mother . . . . .	295	Origin of the Name Texas . . . . .	298
Names of La Salle's Vessels . . . . .	296	Names of Missions Near Nacog- doches . . . . .	299
Joutel . . . . .	296	Saint Denis . . . . .	299
Beaujeu and La Salle . . . . .	296	Names of Indian Tribes . . . . .	299
Tonty . . . . .	297	Migration of Indians . . . . .	300
Site of La Salle's Murder . . . . .	297	The Stone Fort . . . . .	300
Oldest Town in Texas . . . . .	297	Life in the Missions . . . . .	300
Cabeza de Vaca . . . . .	297	Origin of Name Alamo . . . . .	302

## NOTES ON ERA II.

Name Filibusters . . . . .	302	Philip Nolan . . . . .	302
El Grito de Dolores . . . . .	302	Musquiz . . . . .	303
Aaron Burr . . . . .	302	Peter Ellis Bean . . . . .	303



NOTES ON ERA II.—Continued.

	PAGE		PAGE
Napoleon and Spain . . . . .	303	Aüry and Mina . . . . .	306
Arroyo Hondo . . . . .	303	Naming Galveston . . . . .	306
Neutral Ground . . . . .	303	Lafitte . . . . .	306
Magee . . . . .	304	Dr. Long . . . . .	308
Skirmish of White Cow . . . . .	304	French Colony . . . . .	308
Toledo . . . . .	305	Dr. Long's Death . . . . .	309
Arredondo and Elizondo . . . . .	306		

NOTES ON ERA III.

Moses Austin . . . . .	309	Austin's Journey to Mexico . . . . .	311
Baron de Bastrop . . . . .	309	Austin's Duties . . . . .	311
"Father of Texas" . . . . .	310	The Old Three Hundred . . . . .	312
Mexican Independence . . . . .	310	Boundaries of Austin's Colony . . . . .	312
Austin's Loss . . . . .	310	Boundaries of DeWitt's Colony . . . . .	312
Oath Taken by Colonists . . . . .	310	Hayden and Benjamin Edwards . . . . .	312
Mexico's Different Forms of Government . . . . .	311	John Dunn Hunter . . . . .	313
		Names of Empresarios . . . . .	314

NOTES ON ERA IV.

Alamán . . . . .	314	William Barret Travis . . . . .	323
Branch T. Archer . . . . .	314	James Bowie . . . . .	324
John Austin . . . . .	315	David Crockett . . . . .	324
Plan of Revolution . . . . .	315	James Butler Bonham . . . . .	324
Santa Anna . . . . .	316	Mrs. Dickinson's Story . . . . .	324
William H. Wharton . . . . .	316	Potter's Description of the Alamo . . . . .	324
Santa Anna's Opinion of Texas . . . . .	317	Dr. Garrison on Travis' Letter Cos . . . . .	327
Minutes of San Felipe Con- vention . . . . .	317	Survivors of the Alamo . . . . .	327
Sam Houston . . . . .	317	Burnet's Cabinet . . . . .	328
David G. Burnet . . . . .	318	Fannin's Death . . . . .	328
Lorenzo de Zavala . . . . .	319	Colonel Garoy . . . . .	328
Austin's Journal . . . . .	320	Deaf Smith . . . . .	328
Austin's Address . . . . .	320	Commanders in Battle of San Jacinto . . . . .	329
Milam's Escape . . . . .	321	Sidney Sherman . . . . .	329
Andrews . . . . .	321	Houston's Interview with Santa Anna . . . . .	329
"The Grays" . . . . .	321	President Andrew Jackson . . . . .	329
Edward Burleson . . . . .	321	San Jacinto Battle Field . . . . .	330
The Grass Fight . . . . .	322		
Milam Monument . . . . .	322		
Dr. Grant . . . . .	323		

## NOTES ON ERA V.

	PAGE		PAGE
Houston's Cabinet . . . .	330	Fisher and Green . . . .	331
Candidates Suicide . . . .	330	Ashbel Smith . . . . .	332
Lamar . . . . .	330	Anson Jones . . . . .	332
A Pig Causes Trouble with		President Jones's Valedictory	332
France . . . . .	331	Flag of the Republic . . . .	333

## NOTES ON ERA VI.

J. P. Henderson . . . . .	333	Fourteenth and Fifteenth	
Thomas J. Rusk . . . . .	333	Amendments . . . . .	339
George T. Wood . . . . .	334	Guy M. Bryan . . . . .	339
Peter H. Bell . . . . .	334	Richard Coke . . . . .	339
Clay, Webster, Calhoun . .	334	Richard B. Hubbard . . . .	339
Elisha M. Pease . . . . .	334	Oran M. Roberts . . . . .	340
Scaling Public Debt . . . .	335	Peabody Fund . . . . .	340
Hardin P. Runnels . . . .	335	John Ireland . . . . .	340
Cynthia Ann Parker . . . .	335	Lawrence S. Ross . . . . .	341
Edward Clark . . . . .	336	James Stephen Hogg . . . .	341
Frank R. Lubbock . . . . .	336	John H. Reagan . . . . .	341
Houston's Grave . . . . .	336	Charles A. Culberson . . . .	342
Pendleton Murrah . . . . .	337	Texans in Spanish-American	
Texas Officers in Civil War	337	War . . . . .	343
A. J. Hamilton . . . . .	337	Joseph D. Sayers . . . . .	343
June 19th . . . . .	337	Elizabeth Néy . . . . .	344
James N. Throckmorton . .	338	S. W. T. Lanham . . . . .	344
Iron Clad Oath . . . . .	338	Alexander W. Terrell . . . .	344
General Hancock . . . . .	338	Joseph W. Bailey . . . . .	345
Edmund J. Davis . . . . .	338	Thomas Mitchell Campbell . .	345
		Oscar Branch Colquitt . . . .	345

# ERA I

## EXPLORERS AND FIRST SETTLERS

(1685-1800)

[For footnotes, see page 294]

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### FRENCH CLAIMS

**Introduction.**— Some two hundred years ago had one been in Versailles (ver-sälz'), he would have found Louis XIV on the throne with all Europe paying homage to the "Grand Monarque." The King's magnificent palace with its beautiful grounds, rare flowers, marble statuary and wonderful fountains, was the center of all life, honor and pleasure to the groups of richly dressed ladies and gentlemen who formed the court circle. One spring morning in 1684 the announcement was made to the royal household that La Salle (lä säl) had returned from America.

America was still a continent of which little was known, but much was told. Men were ready to believe that there they could find the "Fountain of Perpetual Youth," that the wealth of Sindbad the Sailor was nothing compared with what one might gain in that land beyond the seas. It is no cause for wonder, then, that there were many eager to hear La Salle's story of his strange adventures in the New World.

**Robert Cavelier,<sup>1</sup> Sieur [syér] de la Salle**, a younger son of an honorable French family, had been carefully

educated, as his parents intended him for the priesthood. Wonderful stories of the New World, however, led him while still a youth to Canada; here he resolved to find a new route to China. He thought this could be done



De La Salle

by sailing down the Mississippi River, which the Indians told him emptied into the Pacific Ocean or the Gulf of California, but he soon found that the Gulf of Mexico was the outlet. He gave up the hope of finding a shorter way to China and bent his energies to the task of exploring the great river. After years spent in weary journeys, finally on April 9,

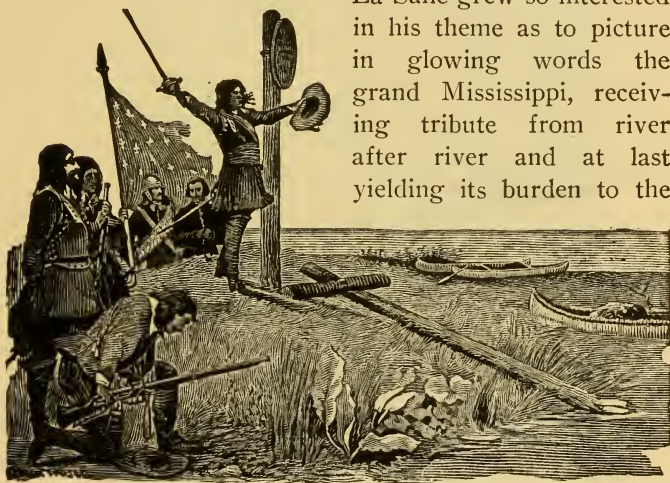
1682, La Salle reached the mouth of the Mississippi.

**Lands Claimed for France.**—A column was prepared bearing the arms of France and this inscription: "Louis the Great, King of France and of Navarre, reigns; April 9, 1682." Amid the religious chant of priests and soldiers, volleys of musketry and shouts of "Long Live the King," La Salle planted the column and proclaimed to the silent, awe-struck Indians that in the name of the King he took possession of all lands drained by the Mississippi.

He then formed his second great plan; he decided to leave Canada, the frozen North-land, and to establish at the mouth of the Mississippi a colony that would hold for his King and his country all the fair domain he had explored.

**La Salle's Return.**—This was the man who had returned to France and been honored by a summons to the presence of the Great King. We may easily believe that

La Salle grew so interested in his theme as to picture in glowing words the grand Mississippi, receiving tribute from river after river and at last yielding its burden to the



La Salle at the Mouth of the Mississippi

Gulf; as he told of the rich lands on either side that now belonged to France, the King listened eagerly and questioned closely. La Salle asked that he be sent with a colony to settle at the mouth of the river, prophesying that the city founded there would be the largest in America. He argued that such a step would hold all his discoveries<sup>2</sup> for France, would in time give Louis an opportunity to conquer the Spaniards in Mexico<sup>3</sup>

and seize their silver mines, and, lastly, would offer the best means of converting the Indians to the Christian religion. In spite of the plots of numerous enemies, La Salle obtained from the King all he asked.

**La Salle's Last Voyage.**—On July 24, 1684, La Salle set sail for America.<sup>4</sup> In his four ships<sup>5</sup> he carried nearly three hundred women, soldiers, priests and mechanics.<sup>6</sup> He was well supplied with tools, cannon, provisions and ammunition. After a stormy voyage marked by delay, illness, quarrels and the capture of one of their vessels by the Spaniards near San Domingo,<sup>7</sup> the French came into the Gulf of Mexico. This was to them an untried and mysterious body of water. La Salle on reaching the mouth of the Mississippi in 1682, fixed the latitude but did not determine the longitude, hence it is not surprising that he continued his course too far to the west and reached the Texas coast. Fearing he had made a mistake, La Salle sent out an exploring party under Joutel<sup>8</sup> (zhōō-tě'l'), who returned with the news that they had found a great river; in truth, they had found only the entrance to Matagorda Bay. The leader decided that this must be the west mouth of the Mississippi and ordered his men to disembark.

**La Salle and Captain Beaujeu.**—When La Salle presented his petition to the King, he asked to be made commander of every part of the expedition; he was given the right to direct the course of the ships and to govern the soldiers and colonists on land, but Captain Beaujeu (bō-zhūh'), an old and tried officer of the French navy, was placed in command of the four vessels. This arrangement displeased both men as neither liked to be subject to the other. Misunderstandings arose constantly. Beaujeu advised against landing at Matagorda Bay, but La Salle would not listen. Orders



were given to bring "The Aimable" (ā-mă'-ble) and "The Belle" within the Bay. On February 20 "The Aimable" was wrecked in trying to cross the bar. La Salle felt this was done on purpose by the commander, who was his enemy. The loss of the ship and her cargo — for little was saved — was a real calamity,



La Salle's Landing in Texas

as she contained the stores just then most needed by the colonists. Soon the forlorn little company was encamped on the shore; poorly fed, poorly housed and surrounded by hostile Indians, they made a pitiful picture. Captain Beaujeu offered to go to Martinique (mār-tě-neek') and get new supplies, but La Salle declined. Claiming that he must seek wood and water, also that he had carried

out the King's commands since he had landed the colonists according to La Salle's directions, on March 12 Captain Beaujeu sailed away.<sup>9</sup> La Salle, eager to be the only commander, probably rejoiced at Beaujeu's going, but many of the colonists, already discouraged, begged to return with the captain.

**Fort St. Louis.**—La Salle ordered a rude fort built from the wreckage of "The Aimable" so as to give shelter and protection to the colonists. Leaving Joutel in charge, La Salle took a few men and went out to explore the country. To his bitter disappointment he found he had made a serious mistake: the Mississippi River was nowhere near. What was he to do? His nature knew but one answer—to keep searching until he found the lost river. But first, provision must be made for the women, the children and the sick, of whom there were many. The spot where they had hastily encamped when "The Aimable" was wrecked had not proved satisfactory. On rising ground six miles perhaps above the mouth of the Lavaca River, a good site was found and here La Salle erected Fort St. Louis. In spite of trouble with the Indians and the death of many of their number, the colonists were made fairly comfortable. A large building of timber, roofed with boards and rawhides, was used for lodgings. Deer, birds, fish and buffaloes were plentiful; fowls, swine and goats had been brought from France.

**Search for the Mississippi.**—By October, 1685, La Salle felt he could leave the colony and search for the "fatal river." His first long journey was fruitless. His last ship, "The Belle," a personal gift from King Louis, the only hope of the colonists for returning home, was wrecked and ruined; his men were full of plots; violent illness fell upon him; many of his most



valuable papers were lost. Locking his sorrows in his own heart, he uttered no word of complaint, but made ready for a final, desperate journey. To obtain help for his colony he must find the Mississippi, ascend its waters, reach Canada, secure what aid he could there, and send one of his companions on to France to ask for more assistance, while he hurried back to Texas.

In 1683 La Salle had left Tonty,<sup>10</sup> his brave, trusty soldier-friend, in command of a little Fort on the Illinois with orders to keep a small body of men there and at the mouth of the Arkansas, so that in case of need the French from the south might send for succor. The hour of need had come and La Salle's plan was to reach Tonty as soon as possible. Before starting (January 12, 1687) the great leader called the few remaining colonists about him and in tender, touching words, told why he must leave, charged them to remember the cause of their coming to America and to picture the disappointment of their King, if they failed in their purpose. Lastly he encouraged and bade them a solemn farewell. To go hundreds of miles over a country of which he knew little, where there were no roads except Indian trails, where swift and swollen rivers crossed his path, where wild Indians might at any moment rush upon him — this was the task that La Salle was undertaking.

**Quarrels.**—The little party of seventeen contained as its chief men La Salle; his older brother, the priest called Abbé Cavelier: two nephews, Moranget (mör-än-jä') and the "boy Cavelier now about seventeen years old"; Joutel, who was to leave the best history of the expedition; the friar, Anastase (ä-näs'-täs) Douay (Doo-äy'); Duhaut (Dū-hō'), a man of good family and some education; Liotot (Lē-ō'-tō), the physician. Journeying in a northern direction, they crossed the Brazos. The

weather was wretched; the men were uncomfortable; La Salle was stern and silent; Duhaut disliked Moranget, who was both rash and insolent. Duhaut was sent with others to secure certain provisions buried by La Salle on a former trip. They found the provisions spoiled, but Nika, a trusty Indian hunter, shot two buffaloes. Camping on the spot, Duhaut began to prepare the meat; he sent a messenger to La Salle asking for horses to carry back the heavy load. Unfortunately Moranget was dispatched with the horses; he and Duhaut quarreled violently over the choice pieces of meat. That night while Moranget, Nika and Saget (an Indian servant who was devoted to La Salle), were asleep, Duhaut and Liotot aided by others murdered them. When morning came these ruffians decided that La Salle too must die.

**Murder of La Salle.**—For two or three days La Salle awaited the return of Moranget. He grew uneasy and seemed filled with gloomy forebodings. On March 19, unable longer to bear the suspense, taking with him an Indian guide and Father Anastase Douay, he started for Duhaut's camp. Seeing two eagles flying low and thinking this a sign the camp was near, he fired his gun and pistol to let them know of his approach. Duhaut's party hid themselves in the long grass; Duhaut and Liotot had their guns ready to fire. Duhaut's servant came into the open that he might be seen. La Salle advancing called out: "Where is my nephew?" "He is down the river somewhere," the servant answered. Just then a bullet came whizzing through the air, followed by still another. La Salle fell, shuddered, and without a word died. The priest, frozen with terror, stood unable to move. Duhaut, seeing his fright, shouted: "Take courage. We shall not harm you." Gathering about the body of their fallen chief, the mur-

derers gloried in their bloody work. Liotot cried out again and again: "There thou liest, great Bashaw. There thou liest!"<sup>11</sup>

**The Colony.**—The murderers did not prosper; they soon quarreled among themselves and both Duhaut and Liotot were killed. Joutel, Abbé Cavelier, the young nephew, Douay and a few others made the long journey northward, found Tonty and finally returned to France. They begged in vain that the King send aid to the helpless little group left at Fort St. Louis on the Lavaca.

The colonists, after La Salle left the Fort, fared badly. They could not agree among themselves; sickness, especially the small-pox, swept away many. Finally the Indians killed all but five or six men, who were taken captives.

**What La Salle Meant to Texas.**—In his search for the Mississippi, La Salle had wandered over much of East and Central Texas. He had also made the first real European settlement<sup>12</sup> on our State soil. For these reasons *France claimed Texas*. We shall see to what this led.

## SPANISH CLAIMS

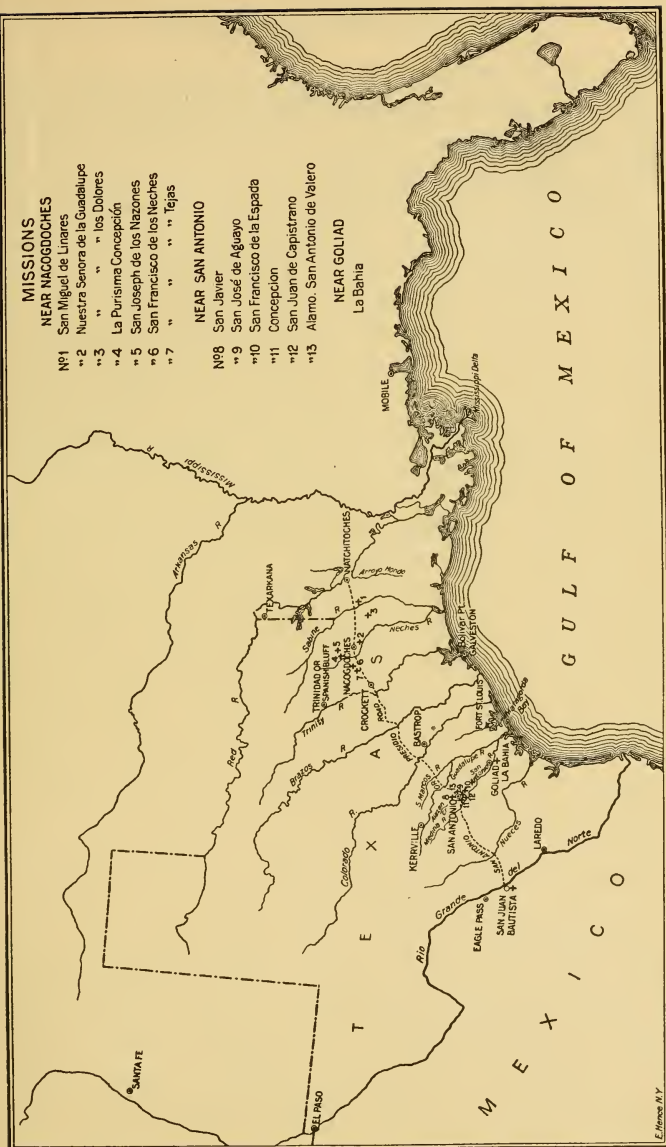
**Numerous Discoveries.**—Spain declared herself the lawful owner of Texas on account of: (1) The discovery of America by Columbus; (2) The conquest of Mexico<sup>13</sup> (of which country Texas was considered a part) by the Spanish under Cortes (kôr-tez); (3) The explorations of Spanish officers. Among these explorers were: Cabeza de Vaca<sup>14</sup> (ka-bā'-sa da vā'-ka), Coronado (kor-o-nā'-do), De Soto, whose expedition passed near the spot where Texarkana now stands, and Espejo (ës-pā'-hō), who halted at El Paso and Santa Fé.

Spain also claimed the entire Gulf of Mexico and King Philip II forbade, on pain of death, any foreigner to sail on the Gulf. It was in obedience to this order that one of La Salle's ships had been captured.

**Spanish Search for La Salle.**—At the time of the capture of La Salle's ship, the Spaniards learned from the sailors that the French were on their way to plant a colony on the Gulf shore. Four different times Spanish vessels were sent out to destroy the intruders, but failed to find La Salle's fort. Expeditions from Mexico were also sent overland, but it was not until 1689 that Captain De Leon (lā-ōn') and his men found the ruins of Fort St. Louis.

**First Texas Mission.**—On De Leon's return, the Viceroy of Mexico inquired closely into the condition of affairs. From the reports of De Leon and Father Massanet<sup>15</sup> (mäss-ah-náy) he decided to found a mission in Texas.<sup>16</sup> In 1690, at the request of the Indians, the mission of San Francisco de los Tejas (tā'has) was established in the land of the Tejas.<sup>17</sup> The mission was not successful; when drouth ruined their crops the savages lost faith in the "God of the pale-face" and were ready to rebel and go back into their old wandering life; the soldiers were harsh and cruel to the Indians, while the red men grew to hate the bold Europeans who claimed to be masters of everything on land and sea. In 1693, the priests, at the command of the Spanish government, abandoned the missions; in the hours of night they buried their bells and other property they could not take with them, and sadly returned to Mexico. For some twenty years after this neither Spain nor France took steps toward colonizing Texas.

**The Crozat (crō-zä') Grant.**—In 1712 the King of France gave the sole right of Louisiana<sup>18</sup> trade to An-



toine Crozat, one of the keenest business men of the day. Crozat saw a fortune was to be made by opening trade with Mexico through Texas and began to make his plans to that purpose.

**Attempts to Open Trade.**—Governor Cadillac (kä-de-yäck') of Louisiana wished to help Crozat. As France and Spain happened to be on friendly terms just at this time,<sup>19</sup> the Governor sent a ship to Vera Cruz (1713) to ask if trade might not be opened between Louisiana and Mexico. The Viceroy refused, saying Spain was unwilling to permit any country to trade with her colonies. One of the most earnest workers among the East Texas missions had been Fray Francisco Hidalgo (e-däl'-gō). For years he had been trying to interest the Spanish authorities in rebuilding the abandoned missions and in founding new ones, but he had utterly failed. In 1711 he wrote Governor Cadillac asking his aid and was delighted to receive an encouraging response. We do not know all the details of this correspondence, but from what happened, it seems safe to believe that Hidalgo promised to aid the French in building up a trade in Texas, if they would help him to establish missions among the Tejas and other Indians. The Governor consented to this compact, though it is difficult to understand his failure to see the danger to France in such an arrangement; *every Spanish mission in Texas was a blow to the French claim upon that province.*

**Saint-Denis.**—In 1713 the Governor called upon Saint-Denis (da-nee'), a bold, dashing, young trader and explorer, to lead an expedition into Texas. With a large stock of goods from Crozat and with a small group of men, Saint-Denis started from Mobile. It was perhaps 1714 before he reached Texas, where he tarried six months among the Asinais<sup>20</sup> (ass-i-näy') Indians trad-



ing. His excuse for being in disputed territory was that he was seeking for Hidalgo's mission that he might buy horses and cattle for the French colony in Louisiana. The Indians, who loved Hidalgo, begged Saint-Denis to bring their priest back to them. Delighted to have this additional excuse, the Frenchman, taking as guides the Indian governor and a group of braves, started on the long march across Texas to Hidalgo's mission at the Presidio of the Rio Grande, thirty-five miles below the present site of Eagle Pass. Captain Ramón [Rā-mōn] held them here until he could obtain orders from the Viceroy.<sup>21</sup>

**Spanish Aroused to Hold Texas.**—Finally a guard was sent to escort Saint-Denis to the City of Mexico; here he was asked to write out the object of his expedition. While he hardly told the whole truth, yet his story was enough to arouse the Spaniards; in spite of stringent laws against foreigners, here was a French adventurer, who had led a body of men through Texas and six miles into Mexico with little or no opposition. This must not happen again. *The French must be kept out; to do this, the Spaniards must build missions and establish permanent settlements in East Texas.*

**Spanish Expedition.**—With Captain Diego Ramón in command an expedition (in 1716) started northward to carry out these plans. Mission San Francisco was re-established and five other missions were founded.<sup>22</sup> Strange to say Saint-Denis went with this Spanish expedition as a salaried officer, though he was still secretly corresponding with the French Governor. His course is not clear;<sup>23</sup> we fear that he sacrificed patriotism to love of gain. *The action of Crozat, Cadillac, and Saint-Denis resulted in causing Spain to make permanent settlements in Texas, which meant the loss of Texas to France.*<sup>24</sup>

**Old San Antonio Road.**—The most traveled road from Mexico to Texas stretched from a fort on the Rio Grande, near the present town of Eagle Pass to Nacogdoches. (See Map.) This was later called the Old San Antonio Road. De Leon's expedition probably used part of this route. Finding that he was losing money, Crozat gave up his charter in 1717.

**Founding of San Antonio.**—In 1718 Martin de Alarcon, Governor of Coahuila (kō-ä-wēē'-la) and Mexico, founded the Presidio of San Antonio de Bexar (bā-här'); this marks the beginning of our historic city of San Antonio. The Presidio was made the capital of the province.

**East Texas Missions Abandoned.**—Matters in Europe so changed, that there was no longer peace between France and Spain. In 1719 the priests and soldiers in the East Texas missions, fearing attacks from their French neighbors, fled to the Presidio of San Antonio de Bexar.

**A Noble Marquis.**—Marquis de Aguayo (a-guä'-yo), a patriot and a soldier, grieved at the abandonment of the missions, offered his sword and his purse to win them back: he wanted to make active war upon the French. Just at this point, peace was declared in Europe and the Marquis, now Governor of Coahuila (kō-ä-wēē'-lä) and Texas, was ordered to recover the province of Texas, but to make no attack on French territory in Louisiana. He found his task made easy by the very ones he thought would oppose him. Saint-Denis came to the Neches river to bid him welcome; the Indians declared their pleasure at his coming. The missions were reopened. Settlements were made stronger and a fort was built near Natchitoches.<sup>25</sup> All this settled



more firmly the fact that Texas was to be a Spanish and not a French province.

**Colonists.**—In 1728 and 1729 attempts were made to send over good families of pure Spanish blood from the Canary Islands and settle them in Texas. After many delays about fifteen families, all their expenses for one year being paid by Spain, came and settled the villa of San Fernando, near the Presidio of San Antonio de Bexar. The experiment was so expensive that the government did not repeat it and the colony amounted to little.

**Missions Moved Westward.**—Spain decreased the number of her soldiers in Texas. Fearing the Indians the priests obtained permission to move three of the East Texas Missions. In 1729 and 1730 they retraced their steps westward and finally located near San Antonio de Bexar.

**Louisiana Ceded to Spain.**—France, having her hands full at home, had neither soldiers nor money for Louisiana. She feared that the province might fall into the possession of her most bitter enemy, England. Rather than see this happen, she ceded Louisiana to Spain in 1762. As this left no frontier to be guarded in Texas, Spain took away still more soldiers and ordered the removal of the remaining East Texas Missions, thus leaving Texas once more in possession of the Indians.

**Nacogdoches Founded.**—Some of the settlers, however, were so devoted to their homes that under the leadership of a remarkable character, Antonio Gil y Barbo (hul-y-bár-bo), they stole back and made a beginning of modern Nacogdoches, 1779, erecting the Old Stone Fort as a place of refuge.

## THE NATIVE INDIANS OF TEXAS

The author returns grateful acknowledgment to Dr. Herbert E. Bolton, Department of History, University of California, for this brief sketch of "The Native Indians of Texas." "The materials used in its preparation are almost entirely manuscript records in the 'Archivo General de Mexico' and in the B  xar Archives."

**The Name Texas.**—When the French and the Spaniards came to explore the country that is now called Texas, it was the home of numerous tribes of Indians. Many of these, living for the most part in the eastern half of the State, called each other Texas (t  '-has), which meant "allies." This name the Spaniards gave to the country, and it still clings to it.

**Numbers.**—These tribes were small. It is a mistake to think that there were large numbers of Indians here or in any other part of the United States when the Europeans came. War, disease, and crude means of getting food prevented their becoming numerous, and, as a result, each tribe consisted of only a few hundred, or at most a few thousand, people. Had all the Indians that lived in Texas when the white men came been brought together, they probably would not have formed two cities as large as San Antonio now is. But if they were few then, they are far less numerous now, for all of their descendants living on the reservations to-day would barely form a good-sized village.

**Tribes Divided Into Three Groups.**—The numerous tribes may be put into three main groups, the Timber Tribes, the Plains Tribes, and the Coast Tribes.

**I. Timber Tribes.**—The most advanced of these groups were the Timber Tribes of eastern Texas. They lived year after year in the same place, and had strong houses, which, early travelers tell us, were sometimes sixty feet in diameter, forty feet high, and contained several families each. The houses were made of small

trees set in the ground in a circle, with their tops bent together, and covered from top to bottom with a thatch of grass.

When a house was to be built the whole village was notified, and on the appointed day the men brought the necessary trees, put them in holes, and fastened them together, while the women brought the grass and put it in place. Inside, the houses had high beds of reeds or skins placed on stake and pole platforms. In the center



Indian Grass Lodge

of each was a fire used by all the families, while around the sides were earthen pots used for cooking, and bark or cane baskets for holding the food supply. On the tops sometimes could be seen grass cupolas, or trimmings, made into strange figures, connected in some way, perhaps, with the Indian religion.

**Food.**—For food these Timber Tribes raised various crops. They planted maize, or corn, one early and one later kind; beans of several varieties, watermelons, muskmelons, calabashes, and sunflowers; the seed of the last-named they ground into flour and made into bread and other fare. Beside these crops, they also raised to-

bacco. Their agricultural tools were crude; they had no iron axes or plows to clear and till the soil, but killed the trees by fire and scratched the surface of the ground with hoes made of stone or wood, or of the bones of animals. They also hunted wild animals in the woods and on the prairies, and gathered nuts, acorns, wild fruits, and certain kinds of edible roots.

**Buffalo Hunting.**—To hunt the buffalo they went in the fall of the year in bands west of the middle Brazos and upper Sabine rivers, for east of this line the buffaloes were few. From these hunting expeditions they carried home large quantities of skins for clothing and of dried meat for use during the winter when other food was scarce. Most of the tribes had native dogs, while before the white men came to settle they had obtained horses from the Spaniards of Mexico.

**Dress and Adornment.**—In warm weather the Indians wore little clothing, but for winter they made garments of skins and reeds. They were fond of ornaments, which they made sometimes of shells and sometimes of the teeth of animals. Both men and women tattooed and painted their faces and bodies with curious figures, and on special occasions the men wore gorgeous head-dresses of feathers.

**Religion.**—These Indians, and the others as well, were highly religious in their way, though their notions about God were strange. One of their beliefs was that their chief spirit, whom they called Caddi Ayo (kā'-dee ä'-yo), meaning "chief above," was born in an acorn cup. When a man died they buried with him his bows and arrows and other possessions, thinking that he would need them after death. For several days they kept food on his grave, that he might not be hungry and weak while going to the "Other House." The numerous

mounds which these people made and left in various parts of eastern Texas were probably in some way connected with their worship.

**Divisions;—The Hasinai or Texas.**—Of these Timber Tribes there were two main divisions, the most important being the Hasinai (hä-see'-nī). These are the Indians whom the Spaniards most commonly called "Texas," although, as we have seen, the Indians themselves called many tribes by this name. The Hasinai group, who may also be called the Southern Caddo, comprised a dozen or more small tribes living in the valleys of the Angelina and Neches rivers.<sup>26</sup> Each tribe had a civil chief; there were also war chiefs.

[Note to teachers. It is suggested that pupils be asked to learn the names of only the leading Indian tribes.]

**Temple and High Priest.**—The head tribe of the group were the Hainai, living west of Nacogdoches on both sides of the Angelina River. Among them was located the main temple, used by all these tribes, and kept by the great Chenesi, a high priest, or medicine man, who cared for the sacred flame from which the Indians lighted their household fires.

**The Caddo.**—Away to the northeast, on the Red River, west of where Texarkana now is, lived several other tribes which we call Caddo. The Caddo lived like the Hasinai, spoke nearly or quite the same language, and like them had caddis and a great Chenesi.

**Other Settled Tribes.**—East of the Hasinai were the Ais and Adaes, and to the southeast were the Bidai. These tribes, like the Caddo and Hasinai, were settled timber dwellers.

Westward, on the Upper Brazos and Red rivers, in the midst of roving Indians of the plains, lived several

tribes whose common name is Wichita. These people seem to have migrated from the north soon after the Spaniards came. They were a settled people who practiced agriculture, and had customs much like the Timber Tribes, although they could not properly be called such. One of their divisions, the Waco, long had their village where the city of that name now stands.

## II. The Plains Tribes.—

**The Buffalo.**—West of the timber dwellers, on the great prairies and plains of Texas, roved wandering tribes with no fixed habitations, who, nevertheless, usually regarded some particular part of the country as their own. To these Indians the buffalo was all important. Besides furnishing the staple food, it provided a variety of other important commodities. The brains and liver were used for softening leather, the horns and skull for ladles and vessels, the shoulder blades for hoes or picks, the tendons for bow-strings, the tail-hair to make ropes and belts, the hide to provide bridle and saddle for the horses, and to furnish shields, tents, traveling cases, shirts, moccasin soles, beds, and robes for the Indians — a surprising array of gifts from one clumsy beast. It is not strange therefore, that, with the changing seasons, these Indians followed the buffalo great distances. In the summer when the buffalo went north to a cooler climate, the Indians followed away to the plains of Kansas or the plateaus of Colorado. In the winter, when the buffalo returned, the same Indians might be seen following southward as far as across the Rio Grande into Mexico. But even some of these wandering people planted a little corn for food, stopping for a season at a convenient place to raise it, or leaving the women to care for it while the men hunted or took the war path.

**Various Tribes.**—When the Spaniards first came to



Texas the most important of these Plains Tribes were the Lipan and Mescalero, of Apache stock, and commonly called Apache. They occupied most of the country west of Kerrville and north as far as the upper Brazos and Colorado Rivers. North of them, but already pushing south into Texas, were the Comanche. East of these, between the middle Colorado and the upper Sabine, roamed the Tonkawa and various related tribes. Soon the Comanche made terrible warfare on the Lipan, driving them south and east, and these, in turn, forced the Tonkawan tribes southeastward. Before the English arrived, the Kiowa had begun to roam in Northern Texas.

**III. The Coast Tribes.**—The numerous tribes living along the shores of the Gulf of Mexico moved about more than the Timber Tribes, but less than the tribes of the plains. During the hunting season, and in the cold winter months, those who lived on the islands migrated in canoes, made of logs, to the mainland. They all lived in very poor, small dwellings made of poles covered or partly covered with skins or reeds. They hunted small game near by, and sometimes went to the great plains to hunt buffalo, while the western tribes of the group went each year to the interior to eat and gather cactus fruit and mesquite beans.<sup>28</sup> Some of these coast tribes were regarded as cannibals.

Back of the Coast Tribes, between them and the Apache country, were scores of little Pakawan tribes, whose life was partly like that of the coast tribes, and partly like that of the wandering Indians of the plains.

**Indian Wars and Migrations.**—There was much fighting among these Indians.<sup>29</sup> This caused various native Texas tribes to change their places of living; it also caused several tribes whose homes had not been in Texas to push in and take the places of natives.<sup>29</sup>

## MISSIONS

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Whenever Spain entered a new country two purposes were always kept in view — to make the nations subject to her king and to win them as converts to the Catholic church. This was plainly shown in the plan of establishing missions. First, a choice location was, if possible, selected for the mission itself; then near by or in the center of a group of missions was placed a fort or presidio,<sup>30</sup> in order that the soldiers might protect the priests, hold the country for the king, and overawe the Indians.<sup>31</sup> When the savages had been trained to work and had learned to farm, the tribes were given small tracts of land.

**Moral Condition of Indians.**— To appreciate the task undertaken by the Spanish priests, some idea must be had of the moral condition of the Indians. As has been shown, they had no idea of the God we worship, but they had some vague conception of a deity or deities and they filled the whole universe with spirits, good and bad; they seemed to feel that the bad spirits were more powerful, and performed all kinds of ceremonies to keep these demons in a good humor. Their ideas of right and wrong differed widely from ours. Marriage was not a sacred union, so there was no fixed, permanent home life; women were regarded as inferior beings; judged by our standards the men were lazy and dishonest; they were so improvident that they seldom laid up sufficient food for the winter or for a year of famine, consequently in the midst of acres of the richest land they were often in a half starved condition; to love their enemies was un-



heard of, but to scalp a foe was the duty of every brave. To change such people into industrious, Christian subjects of his Majesty the King of Spain was indeed a great undertaking.

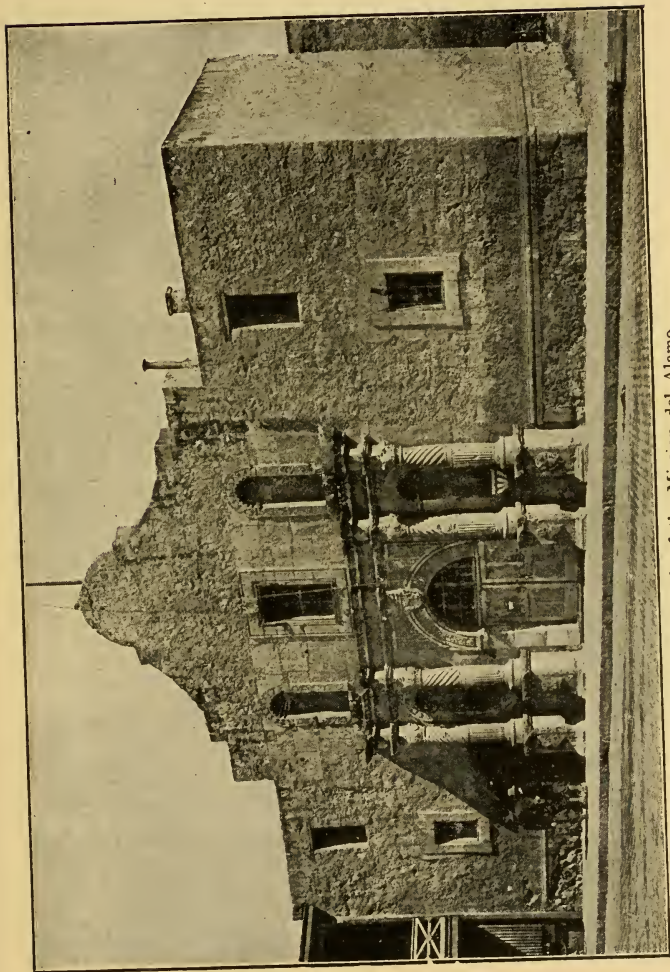
**Beginning of Missions.**—When the Spaniards came to found the missions, they did not at first erect stone buildings. The priests, assisted by the soldiers, put up simple structures of wood, with roofs of twigs, leaves, and grass. Led by curiosity, and the gentle demeanor of the holy fathers, the Indians came in crowds to watch the strange work. Soon they offered their assistance. A bright picture, a bit of red cloth, or a string of beads, was to them sufficient reward for a day's labor. The lighted candles, the incense, the altar with its handsome fixtures—all the ritual of the Church—charmed and thrilled these simple children of the forest. As the priests taught them day by day, some of them began to comprehend what it all meant, and a few became true Christians. These were anxious to stay near their sacred teachers, whom they learned to love, and were delighted to obey. Many, however, understood only enough of what the priests said to be frightened at what would happen to them in the next world. Moved by fear, they too remained near the fathers, having a vague idea that this might save them. Others liked the good food, the clothing and gifts and came solely for the "loaves and fishes." In this way many Indians fell completely under the control of the priests, and work was begun on the permanent missions.

**Plan of Missions.**—In East Texas stone was hard to find, hence most of these structures were wooden and have entirely disappeared.<sup>32</sup> In Southern Texas, however, the fathers had suitable material to work out their ideal. The general plan of Spanish missions was to

group all necessary buildings about a square or plaza: at one corner, facing the outside square, was the church, a massive stone structure, which might be used as a fortress in times of danger. The convent came next, containing rooms for the priests and teachers, dining rooms, kitchens and offices. There were large granaries filled with food. Houses for the Indians, made also of stone, had doors and windows and were furnished with big beds, chests, pots, kettles, boilers, flat earthen pans and stones for grinding corn. Double porticoes ran all about these buildings and through the porticoes flowed a ditch of pure water for irrigation; the fathers protected this stream with much care, willows and fruit trees being planted near its banks.

About all these there was a wall for protection, with a strong gate and tower on which were mounted cannon. Near by were the farm and the ranch, where the priests raised their crops and cared for their horses and cattle.<sup>33</sup>

**Life in the Missions.**—Early each morning all Indians in the mission were assembled for prayers; next they heard mass and a lecture. Each one then went to his task, some toiling in the field, others working on the massive stone buildings, which were to take the place of the wooden structures. In the evening they had religious services. On going to their huts to sleep, they were locked in to prevent their escape. In return for this labor they were well fed and clothed, cared for in sickness and old age, besides being carefully instructed in religious doctrines. As the savages had lived as free as the birds of the air, such a life of confinement told severely on them. When one tried to escape — and many did so — soldiers were sent out to capture him. As the supply of converts came in too slowly for the work the priests wished to accomplish, those who were trusted

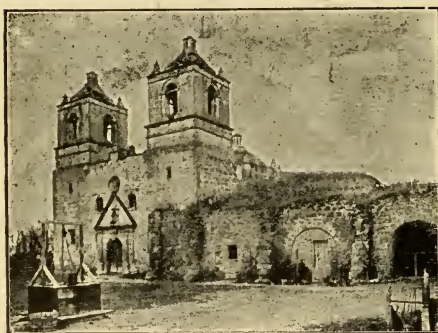


Church of the Mission del Alamo

were sent out to bring in others of the tribe. Force had to be used to make many of the savages do their daily task, but the priests were not cruel, treating them rather as lazy, disobedient children. In this way sufficient force was obtained to irrigate the land for miles about the mission, to till the soil until the country smiled like a garden, and to erect the great buildings which are still the pride of every Texan's heart.<sup>34</sup>

**San Antonio Group of Missions.**—The best preserved missions are the five grouped about San Antonio.

**The Alamo.**—In the heart of this "City of Missions" rises the scarred visage of the Alamo, a name hallowed by its baptism of blood. The Alamo is supposed to have

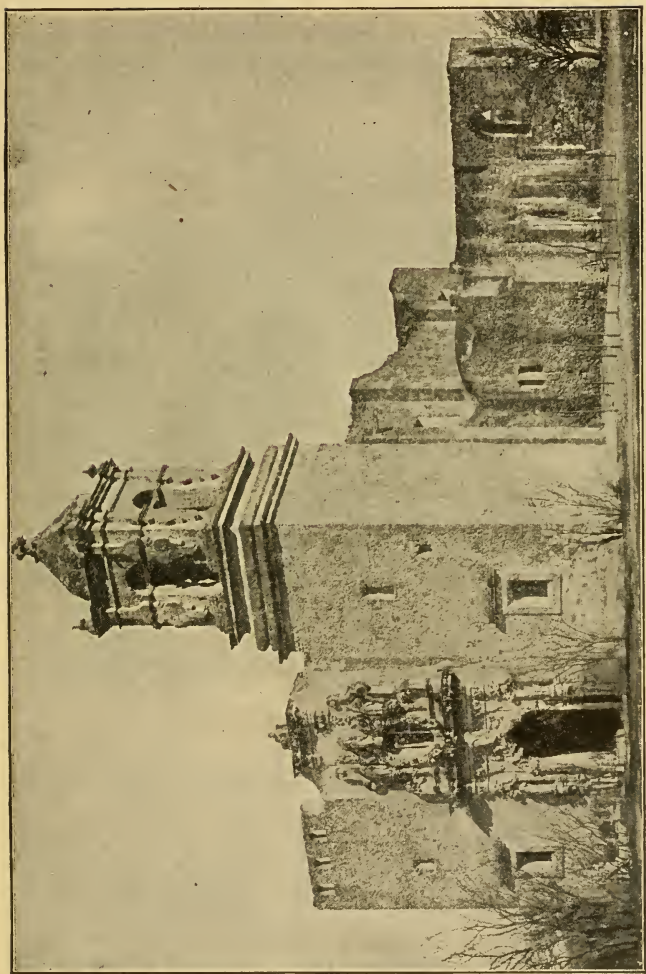


Mission Concepción de Acuña  
(First Mission)

been the chapel of mission San Antonio de Valero; this mission, then under the name of San Francisco Solano, was originally founded on the Rio Grande in 1700, but was moved<sup>35</sup> in 1718 near the Presidio of San Antonio

de Bexar. The first stone of the present Alamo<sup>36</sup> was said to have been laid in 1744.

**San Jose Mission.**—On the right bank of the San Antonio River, about four miles below San Antonio, stands the most beautiful of all the missions—San José (sän hō-sê') de Aguayo. This mission was founded (1720) by the famous Father Margil, who, dying before



Mission San José (Second Mission)



its completion, was buried amid the tears and sobs of the people, in the City of Mexico. The carvings and statuary which ornament the front of San José are the work of a Spanish artist, Huicar (wēē-kär), who devoted many of the best years of his life to this work. The south window of the baptistery is considered by good judges the "finest gem of architectural ornamentation existing



Mission San Juan de Capistrano (Third Mission).

in America to-day; its curves and proportions are a continual delight to the eye." <sup>37</sup>

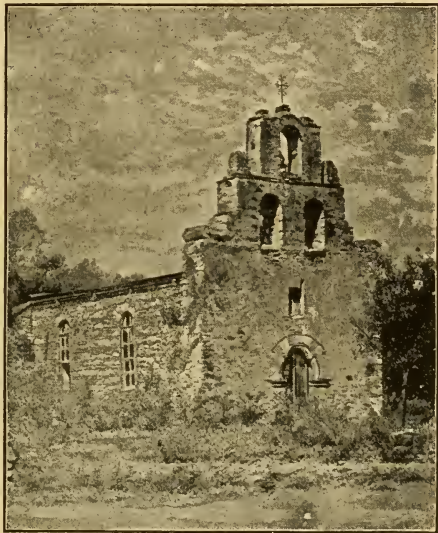
**Mission Concepción.**—In 1731 Concepción,<sup>38</sup> the best preserved of the missions, was located two miles below San Antonio. Its twin towers, its picturesque dome, its front gateway so curiously decorated, its quaint legends, all make this mission one of peculiar interest. The front of the building was formerly frescoed in brilliant red and blue designs, making a dazzling effect; but time and

the desecrating hands of ruthless sight-seers have left few of these decorations.

**Espada and Capistrano Missions.**— Nine miles from San Antonio on the west bank of the river is mission San Francisco de la Espada (ā-spä'-dä), so called from Saint Francis, the founder of the Franciscan priests, and from the sword shape of its chapel tower. This mission is the oldest in the history of the Texas missions. It started as San Francisco de los Tejas in 1690 but was abandoned in 1693; in 1716 it was revived but was called San Francisco de los Neches. In 1731 it was established in its present location and given its present name.

The Mission of San Juan (wän) Capistrano (kā-pē-sträño), six miles from San Antonio, was also one of the East Texas missions removed. The outline of the original plan followed in building all missions (as described in a previous topic) is clearly to be seen in the ruins of San Juan.

**San Saba Mission.**— In Menard County, on the San Saba River, in 1757, was founded the San Saba Mission



Mission San Francisco de la Espada  
(Fourth Mission)



for the especial benefit of the Apache Indians. The Comanches, who were bitter enemies of the Apaches, soon came with a force of allies numbering about two thousand men and butchered all the inhabitants of the mission except two or three, who managed to escape.

**The Last Mission.**—In 1791 the mission of our Lady of Refuge was founded at Refugio. This was the last Spanish mission established in Texas. In 1794 all Texas missions were secularized, that is they were taken from the care of the priests who belonged to religious orders and given to the secular priests, those who had charge of regular parish churches. This was why the good Franciscan fathers, worn and discouraged, gave up their work in Texas and returned some to Mexico, others to Spain.

**Condition of Texas.**—At the close of this era, in spite



La Bahía, near Goliad

of all the labor and money expended, there were in Texas not more than twenty-six hundred Europeans. The priests claimed that ten thousand Indians had been converted since 1690, yet in 1800 there were not more than four

hundred and sixty at the missions or claiming to be under the influence of the fathers. While some twenty-five missions and presidios had been established, yet there were only three places where real

Spanish colonial life existed; San Antonio, La Bahia [Lä Bă hē' ä] or Goliad (1749) and Nacogdoches. Several causes led to this condition: the Indians were continually troublesome; there was friction between the French and the Spaniards; but, above all, *Spain did not have the true colonizing power*. She was tyrannical; she tried to regulate by law even the private life of her people. The colonists had many fine opportunities for trade, but Spain said, "No, you shall buy from, and sell to, none but me." It is not then to be wondered at that more than a hundred years after settlement, this goodly land, Texas, was scarcely more than a wilderness.

### SUMMARY OF ERA I

The French La Salle reached the mouth of the Mississippi in 1682 and claimed all lands drained by the river for his king. In 1684 he was sent by Louis XIV. to found a colony at the mouth of the Mississippi, but by mistake landed at Matagorda Bay, Texas, 1685, and built Fort Saint Louis on the Lavaca River. While searching for the "fatal river" La Salle was killed (1687) by some of his own men. The colony was destroyed by discord and the Indians. French claims to Texas rested on La Salle's voyage and colony.

Spain claimed Texas on account of Columbus's discovery of America, Cortes's conquest of Mexico, and the explorations of Cabeza de Vaca and others. When news came of La Salle's expedition, Captain De Leon was sent to destroy the French and later to establish missions and presidios in East Texas; these were abandoned in 1693 and nothing was done for twenty years.

King Louis granted (1712) all rights of Louisiana trade to Crozat. In spite of Spain's strict laws against trading with other nations, Crozat and his friends persuaded certain Spanish priests to allow them to trade in Texas, provided the French aided the holy fathers in establishing missions. The French Saint Denis led a trading expedition across Texas to the Rio Grande; this aroused Spain and caused her in 1716 to found

six missions in East Texas; from this time Texas was never without Spanish settlement.

In 1728 and 1729 Spain sent colonists from Canary Islands to settle in Texas; the experiment was too expensive to repeat.

France ceded Louisiana to Spain in 1762; this ended the border quarrels.

The Indians of Texas, few in numbers, may be divided into the Timber Tribes, the Plains Tribes, and the Coast Tribes. The Timber Tribes of East Texas were the most advanced; they lived in the same places year after year, had strong houses, carried on a crude sort of agriculture, went in the fall to hunt buffalo and were highly religious. The Timber Tribes were divided into the Hasinai or Texas and the Caddos. The Plains Tribes lived on the plains and prairies west of the Timber Tribes; they were a roving people with no fixed habitation. The buffalo was all important to them. The Coast Tribes eked out a miserable existence on the shores of the Gulf of Mexico; they had little or no agriculture and lived on fish, eggs of sea-fowls, wild fruits, nuts and roots. Some of them were considered cannibals.

The purpose of Spain in entering a country was to convert the nations to Christianity and to hold territory for the King, hence missions and presidios were grouped together. The moral conditions of the Indians made the task of the priests most difficult. Priests began with simple arbors and wooden buildings, worked patiently and persistently until they had trained the savages to labor so they could erect stone missions.

The most interesting group is in and about San Antonio; the Alamo, San José, Concepción, Capistrano and Espada.

San Saba mission was destroyed by the Comanches and their allies. In 1791 a mission at Refugio marked the last mission; in 1794 missions were secularized and the Franciscan fathers returned to Mexico and to Spain.

#### SUGGESTIONS FOR SUPPLEMENTARY WORK

[*Note to the teacher.*—The points mentioned below are merely suggestive. The discretion of each instructor will tell him what to omit, and what to adopt. Nothing is given that has not been successfully tested in the schoolroom. Encourage the pupil to make use of the public library.]

1. Write a biography of La Salle (Reference-books — Encyclopedias, Parkman's "Life of La Salle," "The Story of Tonti," a romance by Mary Hartwell Catherwood).

2. Describe the ships used in La Salle's time, showing how they differ from those of the present day.

3. Write a letter to De Tonty describing the death and burial of La Salle, you having been an eye-witness of the murder.

4. Conversation topic, each pupil to talk one minute: Who had the better claim to Texas, France or Spain? (The author cannot too heartily recommend conversational topics, which the entire class is required to discuss; during her fourteen years' experience as a teacher no other language exercise has brought forth such encouraging results).

5. The missions as they are now. (In many parts of the State it will be possible for teacher and pupils to visit one or more of the ruined missions. Such a visit under proper guidance would be of the greatest profit and interest to the history class).

6. Paper or talk from the teacher on the condition of France in 1762, showing clearly why she was not able to hold her colonies in America.

7. Let the class elect one of their number, who, assuming that he is a historical personage, mentioned in Era I., shall relate the story of his life, concealing his name; class will then decide who he is.

8. Historical tableau: Let pupils represent some scene described in Chapter I.; as "Death of La Salle." Let the class name and describe the scene thus pictured.

9. Readings: Selections from Chapter XXII. Parkman's "La Salle."

#### SUPPLEMENTARY READING

"With the Makers of Texas," by Bolton and Barker, pages 1-66. For older students: Dr. George P. Garrison's "Texas," pages 1-94.

## BLACKBOARD ANALYSIS

ERA I. 1685-1800.

I  
France and  
Texas.

La Salle.

- a. Early life and training.
- b. Comes to Canada.
- c. Reaches mouth of Mississippi (1682).
- d. Claims lands for France.
- e. Returns to France and appears before the King.
- f. Last voyage to America (1685).
- g. Lands in Texas (1685).
- h. Troubles: Captain Beaujeu.
- i. Fort St. Louis: first European settlement in Texas.
- j. Search for "fatal river."
- k. Murder (1687).
- l. Fate of colony.
- m. Foundation of French claim.

II.  
Spain and  
Texas

1. Spanish claim based on
  - a. Columbus.
  - b. Cortes.
  - c. Cabeza de Vaca (1528-1534)
  - d. Other explorers.
2. Search for La Salle's colony.
3. First mission founded (1690).
4. French attempts to open trade.
  - a. Crozat's grant.
  - b. Saint Denis.
  - c. Governor Cadillac.
5. Other missions.
6. Beginnings of San Antonio (1718). Goliad (1749). Nacogdoches (1779).
7. East Texas missions abandoned.
8. Marquis de Aguayo.
9. Colonists from Canary Islands.
10. Louisiana ceded to Spain (1762).

III.  
Texas  
Indians.

1. Timber Tribes.
  2. Plains Tribes.
  3. Coast Tribes.
- a. Location.
  - b. Homes.
  - c. Food.
  - d. Dress.
  - e. Occupation.
  - f. Religion.

ERA I. 1685-1800.

IV.  
The missions.Condition of  
Texas.

1. Two objects of Spaniards in possessing new country.
2. Moral condition of Indians.
3. Temporary missions.
4. Permanent missions.
  - a. Plan of.
  - b. Life in.
  - a. Alamo.
  - b. San José.
  - c. Concepción.
  - d. Espada.
  - e. Capistrano.
5. San Antonio group.
6. San Saba mission.
7. Refugio, last mission, 1791.
8. Missions secularized, 1794.
9. Decline.

## ERA II

### ERA OF FILIBUSTERS<sup>1</sup>

(1800-1819)

[For footnotes see page 302.]

To understand the events that during this era happened in Texas, some knowledge of the state of affairs in Mexico and the United States is necessary.

**Affairs in Spain.**—At this time Spain was in a distressing condition. Wars from without and plots from within together with fear of Napoleon gave her little time to attend to her possessions in the New World.

**Hidalgo's Revolution.**—The Mexicans, on their part, were weary of Spanish rule and desired independence. They could not have asked a more favorable time. As is ever the case, many martyrs were offered on Liberty's altar before definite results were reached. The first general revolution<sup>2</sup> (1810), which was led by the gentle scholar and priest, Hidalgo (ē-däl'go), was opposed by the great mass of the priesthood. The revolution failed; the brave Hidalgo was executed. José Maria Morélos (mō-rā'lōs), a priest and a patriot, next aroused the people, but he too was captured and put to death.

**Mexico becomes Independent.**—In the course of time, Spain passed certain laws, making sweeping changes in many matters that concerned the priests. This caused the holy fathers to go over to the side of the revolutionists. "If Mexico becomes an independent country,"



they reasoned, "we shall be able to make such laws as we wish for our control." A second revolution occurred. After a few battles, the Mexican patriots were victorious. An empire was formed and General Iturbide (ē-toor-bē'da) was made emperor.

**The Republic of Mexico.**—The Mexicans longed for still more freedom. But Iturbide granted nothing, his desire being to make himself absolute ruler. The empire was overthrown, and in 1824 a republic was established.

**The United States.**—While the outlook in Mexico was dark and overshadowed by war clouds, in the land where our "bonny blue flag" waved, there were peace and prosperity. The war of 1812 was the only event that disturbed the nation. After Louisiana became the property of Spain, a dispute arose as to the rights of Americans to navigate the Mississippi. The whole nation was aroused over the plans of Aaron Burr,<sup>3</sup> formerly Vice President of the United States; it was thought that he would lead an expedition into Texas, press on perhaps to Mexico, conquer the country and establish a new government. These causes brought Texas prominently before the eyes of America and made it a most attractive place to daring adventurers. Settlers from every direction were pushing toward the frontier, and already some—with longing eyes—were looking toward the broad prairies of Texas.

**Nolan's Expedition.**—In 1797, Philip Nolan<sup>4</sup> obtained permission from the Governor of Louisiana to enter Texas, for the purpose of getting wild horses for a Louisiana regiment. While on the trip, Nolan was keen enough to make a good map<sup>5</sup> of the country, and to open trade with the Indians. Meeting with success, he decided (October, 1800) to repeat the experiment.

By this time, the Spaniards began to fear that the Americans were seeing too much of Texas, and resolved to prevent Nolan's expedition.<sup>6</sup> He, with about twenty companions, the most of whom were Americans, managed — in spite of Spanish opposition — to enter Texas, to journey as far into the interior as Waco, and to catch some three hundred mustangs. Early one morning (March 21, 1801) the little company awoke to find themselves surrounded by one hundred Spaniards under



Map for Era II

the command of Lieut. Musquiz (mus-kee'ce). Nolan was soon killed.<sup>7</sup> His place was taken by Peter Ellis Bean.<sup>8</sup> After a desperate struggle, their ammunition being exhausted, Bean and his men surrendered.

**Fate of Nolan's Men.**—They were long held as prisoners in Mexico. In 1807 the Spanish King ordered that every fifth man should be hanged and the rest sentenced to

ten years' labor. As the hardships inflicted upon them had caused the death of all but nine, the judge decided that only one man must die. The Spanish officer in charge wrote: "Having caused the nine prisoners to assemble in a room in order to draw lots, so that one of them might be executed, after they knelt I read the decree of his Majesty the King. The prisoners agreed to throw dice, and that the oldest of them should throw first, and that the one who threw the smallest number should be hanged. A drum, a crystal tumbler, and two dice were brought, and I ordered the prisoners to kneel before the drum and be blindfolded." Ephraim Blackburn threw first, and to him fell the fatal number; two days afterward (November 11, 1807) he was hanged.<sup>9</sup>

**Louisiana Purchased by the United States.**—In 1800 Spain secretly returned Louisiana to France. Napoleon, being in great need of money, sold Louisiana, in 1803, to the United States.<sup>10</sup> Spain objected to this; and when the Americans claimed all land east of the Rio Grande as a part of Louisiana, she grew indignant.

**Neutral Ground.**—It soon seemed that war was certain, for Spain not only claimed Texas, but even wanted to cross the Sabine and take a part of Louisiana. At last the matter was peacefully arranged (October, 1806) by making the land between the Sabine and the Arroyo Hondo <sup>11</sup> (är-rō-yō'ōn'dō) neutral till the boundary question should be settled.<sup>12</sup> As in this strip of ground no law ruled, it soon became the home of criminals and desperadoes, whose occupation was robbery.

**Lieutenant Augustus Magee.**—For nearly twelve years after Philip Nolan's death, no other American expedition came into Texas. Augustus Magee was a gifted

young lieutenant in the U. S. army, who had been stationed at Natchitoches, Louisiana, to protect Americans crossing the Neutral Ground.

**Magee and Gutierrez Meet.**—At this time the Royalists (those who preferred belonging to Spain) of Mexico were in power, Hidalgo had been defeated and the Republicans were in exile. Many of them had taken refuge in the United States and in the Neutral Ground. Having met some of the most talented of these Republicans, Magee became infatuated with the idea of freeing Texas from Spanish rule. He and Gutierrez (gōō-te-ér-es),<sup>13</sup> a noted Spanish exile, formed a plan to effect this purpose. They gained support from four classes — Mexicans who lived in Texas, free-booters of the Neutral Ground, Indians and adventurous spirits in the United States.

**Preparations.**—Resigning his commission in the United States army (June, 1812), Magee went to New Orleans to obtain men and supplies. Nor were men hard to obtain, for then, as now, the youth of our land were ready to enter upon any hazardous undertaking. It is said each volunteer was promised forty dollars per month and a league of land.

In the meantime Gutierrez with a group of adventurers from the Neutral Ground pushed into Texas, took Nacogdoches from the Spaniards and passed on to Spanish Bluff on the Trinity. Here Magee joined him. Their combined forces, called the "Republican army of the north," numbered about eight hundred; Gutierrez was made commander-in-chief, and Magee second officer, though really Magee was the ruling spirit. Most of the officers were Americans, among whom were Major Kemper, Captains Lockett, Perry, Ross and Gaines.

**The Siege at Goliad.**—The little army marched toward Goliad or La Bahia, where the Governor of Texas, Salcedo, (sāl-sā'-dō), had stationed about fifteen hundred Spanish troops. Hearing of the approach of the filibusters, Salcedo led his men out to meet them at the Guadalupe River. Magee, however, wisely chose another route, reached Goliad while Salcedo was still absent, captured the fort and took possession of several pieces of artillery, large supplies of provisions, and the military chest, which contained enough money to pay the troops.

Gen. Salcedo, much enraged at the turn affairs had taken, besieged the fort for four months. The filibusters, with the food found in Goliad and with the cattle<sup>14</sup> their expert American scouts drove in at night, laughed at the Spanish threats of starving them into surrender. In February Magee died<sup>15</sup> from consumption and Kemper was elected colonel to succeed him. Soon after Salcedo attacked the fort fiercely, but was driven back with much loss; he then abandoned the siege and retreated toward San Antonio (February or March, 1813).

**Battle of Rosillo.**<sup>16</sup> — After receiving reënforcements, Colonel Kemper (March, 1813) decided to march on to San Antonio, where Salcedo was encamped. Near the town the Americans made an attack and drove the Spaniards from the field, though the enemy had several pieces of artillery, and possessed every advantage as to knowledge of the surrounding country. A demand was sent to Salcedo, to surrender San Antonio. He asked until morning for consideration, but Yoakum says received the curt reply: "Either present yourself and staff in our camp at once or we shall storm the town." The fort was

given up. The victorious army entered the town, took possession of all treasures, rewarded all soldiers, <sup>17</sup> and released all prisoners found in San Antonio.

**Spanish Officers Murdered.**—The soldiers of the conquered army were released, and the officers paroled. Since reaching San Antonio, Gutierres had assumed more authority than before. He announced to his force that he deemed it wise to send the Spanish officers to New Orleans, to remain until the war closed. All agreed to this—the Americans never dreaming of the infamous plot that Gutierres was secretly cherishing. Salcedo and his officers started, under the charge of a party of Mexicans, commanded by Delgado, for the sea-coast. After going a short distance they were stopped and told to prepare for death. The Mexicans then tied all securely, and cut their throats.<sup>18</sup> As the Americans considered their honor pledged for the safety of Salcedo and his companions, a number of the best men, including Kemper and Lockett, left the expedition in disgust. Gutierres was deprived of his command.

**Victory at the Alazan.**—Other Americans came in to take the place of those who left, for the fame of Texas climate and Texas soil, together with the report of victories gained by Magee's men, had drawn to San Antonio many adventurous spirits. In June (1813) the filibusters under Perry's leadership gained a decided victory at the Alazan (ă-lă-săn') creek over the Spanish General Elizondo (ă-lē-sôn-do), who had been sent to destroy them.

**Defeat at the Medina.**—(August 18, 1813). The "Republican army of the North," flushed with victory, welcomed new reënforcements and selected Toledo <sup>19</sup> tō-lă'-dō) as commander. This step displeased the Mexi-



can part of the army because Toledo was a Gachupin [gä-chu-pín] (pure-blooded Spaniard) and they hated all Gachupins. Fortune, that had long smiled upon the Republicans, now turned her face. General Arredondo [är-rā-don'do], a distinguished officer of the Royal army, hearing of Elizondo's defeat, immediately set to work (July, 1813) collecting forces with which to win back Texas to the support of the Spanish King. Elizondo was ordered to gather his scattered troops and join the command of Arredondo. The combined forces marched to San Antonio, but halted six miles south of the Medina, where they laid a trap for the unsuspecting enemy. Toledo being informed of the approach of Arredondo, advanced from San Antonio toward Laredo; crossing the Medina he came upon the Royalist forces.<sup>20</sup> Toledo led his men to the attack (August 18, 1813). At the first charge, the Spaniards, acting according to the orders of their general, pretended to be terror-stricken and fled; the Americans eagerly followed, whereupon the Spaniards turning, closed in their lines, forming an angle with the opening towards San Antonio; thus <. The Republicans were caught between the sides of the angle. Toledo, perceiving the snare into which he had been led, gave the order to retreat. One wing obeyed. But the other, shouting, "No; we *never* retreat," rushed to their death. Some of the Mexican troops deserted. The Americans and Indians fought bravely; but after four hours, ensnared, separated, with ammunition exhausted, they were forced to flee. Then began a scene of terrible butchery, for the Spaniards spared none.<sup>21</sup> Of the eight hundred and fifty Americans engaged in the battle, only ninety-three succeeded in escaping, among whom were Perry, Taylor and Bullard.<sup>22</sup>



**Effect of the Battle.**— The effect of this defeat upon the Republican cause in Texas was most disastrous. The Spanish soldiers swept the whole country, venting their wrath not alone upon the men but also upon the helpless women and children.<sup>23</sup> San Antonio, Nacogdoches, and Trinidad suffered especially. Scores of the best citizens of Texas fled to Louisiana, for they now had nothing to expect in Texas but death, and that in its most cruel form.<sup>24</sup> Ruin and desolation were to be seen on all sides.

**The Republicans on Galveston Island.**— While the outlook for the Republicans in Mexico and Texas was gloomy, yet there still remained some patriots who never gave up hope.<sup>25</sup> A group of these under the lead of Herrera <sup>26</sup> (ār-rā'rā) took possession of Galveston Island <sup>27</sup> (September, 1816) and organized a miniature Republic of Mexico. Their plan was to send out privateers into the Gulf of Mexico to ruin Spanish trade with all American countries. For a time things went well; rich prizes were captured; Spanish commerce on the Gulf was destroyed; the little Republic had money in abundance. But the leaders began to disagree among themselves; the more reckless of the men seized ships belonging to other nations than Spain and also engaged in the slave trade. This aroused the United States government against them, so that in 1817 they thought best to burn their buildings and leave Galveston Island for Central America.

**Lafitte the Pirate.**— Jean Lafitte [lä-fēēt'], a Frenchman by birth, was for a time a blacksmith in New Orleans. Of his early life many strange stories are told, but nothing is positively known until he is found agent for the smuggling vessels that, since the Em-

bargo Act passed by the United States (1807), were doing a fine business on the Louisiana coast.<sup>28</sup> He gathered about him a set of daring seamen, and established himself on the coast of Grand Terre (grän têt), also called Barataria (bä-rä-tä'rē-ä), about sixty miles from the Mississippi Delta. Here he made a fortune by smuggling. Not being able to disperse the smugglers, the Governor of Louisiana offered five hundred dollars for Lafitte's head. The Frenchman was not to be outdone, for he at once offered fifteen thousand dollars for the Governor's head! An armed force was sent out against him, but Lafitte surrounded the men, and, after showing them that they were entirely at his mercy, gave them not only their freedom but rich gifts. His establishment was at last so nearly destroyed by ships from the United States navy, that he and his men were forced to keep quiet.



Jean Lafitte

**Lafitte refuses British Honors.**—In 1814, British officers went to Barataria (bä-rä'tä're-ä) to offer Lafitte

£30,000, the rank of post captain, and the command of a frigate, if he would assist them in the war they were then waging against the United States. While Lafitte's crimes were not few, he did not commit that unpardonable sin — treachery to the country to which he had sworn allegiance. He requested several days to consider this offer. His request was granted. He at once sent the proposal of the English, together with a patriotic letter from himself, to Mr. Blanque, a State officer of Louisiana.<sup>29</sup> He offered his services to the United States. His offer was accepted, and he was received once more into respectable society. In the battle of New Orleans he with some of his companions fought so bravely that the President of the United States granted a full pardon to all. At the close of the war, however, the longing for the old life of daring and adventures returned.

**Lafitte on Galveston Island.**—Lafitte had from Venezuela letters of marque (official papers granting him the right) to prey upon the commerce of Spain. About this time Herrera's party left Galveston Island, and Lafitte selected (April, 1817) the island as his headquarters. Soon a thousand men had rallied about him, and a thriving town sprung up called Campeachy. He claimed that the letters of marque gave him full power to pursue his course as a privateer, but in order to make himself doubly safe he organized a Mexican Republic, appointed all necessary officers and forced all new-comers to take the oath of allegiance to Mexico. In spite of all this he was looked upon by the world at large as a pirate, and was known far and near as the "Pirate of the Gulf." He lived in grand style,<sup>30</sup> entertained all visitors royally, and was so successful in his efforts against Spain that Spanish commerce suf-

ferred seriously. In personal appearance, Lafitte was handsome, of dignified bearing and of courteous manners. His men had strict orders not to interfere with American ships, Spain being the country against which, according to their commission, they claimed right to wage war. Some of the seamen, failing to obey his commands, the American government compelled Lafitte and his entire colony (1821) to leave Galveston forever.<sup>31</sup>

**Texas Exchanged.**—In 1819, the United States agreed to give up all claims to Texas, if Spain would sell to her Florida. Spain complied, and Texas was abandoned by our government, the Neutral Ground becoming part of Louisiana; but many Americans denied the right of Congress to sell or to exchange any portion of American possessions, and sent to Washington strong protests against the action of Congress.

**Long's First Expedition.**—The people of Natchez, Mississippi, were so displeased that they not only protested against the action, but organized an expedition to invade Texas and establish a Republic. Dr. James Long was made leader of the expedition.<sup>32</sup> Long, accompanied by his wife and child, set out (June, 1819) with less than eighty men for Nacogdoches: before he reached this point his force had increased to three hundred men, among whom was Gutierrez. As soon as they arrived at Nacogdoches the invaders held a convention and solemnly declared Texas to be a free and independent republic. Long was chosen President, a full staff of officers were elected, and public lands were offered for sale on reasonable terms. In order to gain a firm foothold in the country, Long established four trading places along the Brazos and Trinity.

**Long Asks Aid from Lafitte.**—In September, Long set out for Galveston Island to try to obtain aid from La-

fitte;<sup>33</sup> he had just reached the Coushatta village when he learned that a Royalist army was marching to attack his colony. Sending back word to his wife to escape to Louisiana, and ordering his under officers to concentrate their forces, he hurried on to Galveston. Lafitte received him cordially, wished him success, but positively refused to aid him, saying no expedition against Mexico could succeed without a large, well disciplined body of soldiers. Starting on his homeward journey, Long was met everywhere by bad tidings; at all points his men had been defeated, while his brother had been killed. He reached Nacogdoches, only to find it deserted, the inhabitants having fled at the news of the approach of the enemy. Long himself came near being captured. He was, however, rejoiced to find his wife and child safe.

**Long's Second Expedition.**— Not discouraged by the failure of his first expedition, Long hurried to New Orleans, where he obtained new forces and new supplies. Don Felix Trespalacios (trēs-pä-lä'-sē-ōs), a famous Mexican exile, also joined the expedition. The patriots, as they fondly called themselves, sailed to Point Bolivar; here Trespalacios and his men left the rest of the party, and sailed down the coast to land in Mexico, where they hoped to raise more troops. Long, leaving his family at the little fort, advanced to Goliad and captured the town. Soon after it was attacked by a large body of Royalists and forced to surrender. After months of delay Long was permitted to go to the City of Mexico, where Iturbide had just come into power, and where the cause of liberty seemed to triumph. Trespalacios was also in the Mexican capital and was made governor of Texas. Long was treated as an honored guest. In 1822 he was shot and killed by a Mexican soldier; the

mystery of his assassination has never been explained.<sup>34</sup>

**Importance of this Era.**—Nolan, Magee and Long had led more than twelve hundred Americans into Texas to wrest the land from Spain. They failed, but their expeditions convinced Americans that Texas was a fair country and prepared the way for the next Era. However, the prospect was gloomy. Long's invasion had so enraged the Spanish officers that many peaceful settlers were driven from the country. Even in San Antonio food was often scanty, while the traveler through Texas ran the risk of death by starvation. The population did not amount to four thousand civilized persons. Smugglers infested the coasts and freebooters, left from Lafitte's settlement, spread terror throughout Eastern Texas.

## SUMMARY OF ERA II

Spain, disturbed by wars, gave little attention to her American colonies. Mexico revolted; and the Mexican Republic was established.

Disputes about the rights of Americans to navigate the Mississippi and the Aaron Burr conspiracy made Texas much talked of in the United States; many Americans looked longingly towards her fertile acres.

Philip Nolan led about twenty men (1800-1801) into Texas; the expedition was attacked by the Spaniards; Nolan was killed; his men, after years of imprisonment, received from the Spanish king a decree that every fifth man should be shot.

Spain secretly returned (1800) Louisiana to France; contrary to his promise Napoleon sold (1803) Louisiana to the United States. The United States claimed that Texas was a part of Louisiana and hence belonged to her: Spain declared that Texas was not a portion of Louisiana and hence belonged to her. Serious trouble was averted by an agreement that the land between the Sabine River and the Arroyo Hondo should be Neutral Ground.

Magee and Gutierrez organized (1812) an expedition of



some eight hundred men to free Texas from Spanish rule. Magee died during the siege of Goliad, but under command of Kemper, the expedition withstood the siege and won victories in the battles of Rosillo and the Alazan: at the Medina they were defeated and the whole country was laid waste by the Spaniards.

A few Republicans under Herrera took refuge on Galveston Island, organized a little Republic and nearly destroyed Spanish commerce on the Gulf; they afterwards went to Central America. Lafitte made a fortune in Louisiana by smuggling; the Governor of Louisiana set a price upon his head. During the War of 1812 the British offered him great rewards to enter their service; he refused, entered the United States army and fought so bravely that all his past offenses were pardoned. After the war, he returned to the old life, establishing himself on Galveston Island. The United States government (1821) forced him to leave Texas.

Spain sold Florida (1819) to the United States and the United States gave up all claim to Texas.

Dr. James Long (1819) led an expedition into Texas; it failed; he tried yet again, was forced to surrender and was finally shot in the City of Mexico.

This era brought more than twelve hundred Americans into Texas and led to its colonization by Americans.

### SUPPLEMENTARY WORK

TO TEACHERS—*Talks by the Teacher:*—In order that the pupil may fully understand Texas history he must know something of the cotemporary European and American history. Yet according to a well-known law in pedagogics he must study the history of his State before he studies that of the United States and of Europe, for he must proceed from the part to the whole, from the known to the unknown. In a text-book of this size it is impossible to do more than simply mention the outside points; hence I ask the teacher, from time to time, to give his class plain, simple talks on the topics that need special development, some of which are indicated below: such a plan results in good for both pupil and teacher. These talks may sometimes take the place of opening exercises; they may also serve as a basis for composition work, the class being required now and then to reproduce them. Don't however, I beg of you, ask the children



to do this as a regular thing; let them more often listen to you for the pure pleasure of the story you are telling, a pleasure unmarred by the fear that they may forget some of the points you are making, and thus fail in the reproduction exercise. Nothing is more fascinating than studying the many forces — European, Indian and American — that have shaped our state's history; nothing appeals more to the imagination of the child. These suggestions are made only for the use of those teachers who may have the time for this extra work.

### TOPICS SUGGESTED

(1) Life of Napoleon, showing clearly his course in Spain, the circumstances under which he forced Charles and Ferdinand to abdicate, how he made his brother Joseph king, troubles that came after, how all these changes affected Mexico and Texas.

(2) The state of turmoil in Mexico; giving the interesting details of points mentioned in first topics of this era.

(3) Brief story of the war of 1812, with special mention of the battle of New Orleans.

(4) Louisiana purchased; the effect of this purchase upon the United States and Texas history. Show clearly on what grounds the United States claimed Texas.

(5) The romantic story of the life of Aaron Burr; why the Mexican government feared his schemes.

(6) The "Black Hole" of Calcutta.

(7) Explain clearly the meaning of privateer, of letters of marque and reprisal: show what right Venezuela had to grant letters of marque to Lafitte; show under what circumstances a man might one moment be a privateer and the next moment become a pirate.

### THOUGHT QUESTIONS

(These questions are not mere repetitions of the text, but are meant to test the thoroughness with which the pupil has mastered the thoughts brought out in this chapter.)

Why was Spain in no condition to look after her American colonies? Why did the priests first oppose and then favor Mexico's independence?

Why did Spain prohibit her colonies from trading with other nations?

Why did Lieutenant Musquiz send Nolan's ears to the governor of Texas?

When did France fail to keep a promise made to Spain?

Why did Spain not force France to do as she promised?

How much did the United States pay for Louisiana?

What do you mean by "Neutral Ground"?

Why could there be no law and fixed government in this "Neutral Ground"?

Draw a map showing the boundaries of the United States *before* she bought Louisiana.

Draw another map showing her boundaries *after* she bought Louisiana.

Who was Aaron Burr?

What do you mean when you say he "graduated at West Point"?

Explain the terms, Mexican Royalists, Mexican Republicans.

Why did Magee resign his commission in the United States army?

Where are La Bahia, Point Bolivar, Nacogdoches, Yucatan, and the Medina?

Describe in your own words the trap Arredondo set for Toledo and his men.

Go to the board and draw any figures you may need to make Arredondo's plan perfectly clear.

Explain: "Napoleon had fallen at Waterloo."

Why did President Madison forbid Americans invading Texas?

What is a pirate?

What is the punishment for piracy?

What do you mean by smuggling?

Why did the English want such a man as Lafitte to become an officer in their army?

Why did Lafitte not assist Long in his expedition?

Give the various reasons why Texas had so few inhabitants at close of Era II.

Why is this era an important one?

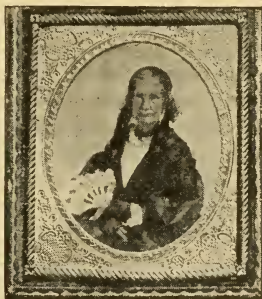
## MANNERS AND CUSTOMS.

In 1806, the only towns of importance in Texas were San Antonio, numbering about 2,000 inhabitants, Goliad with perhaps 1,400, and Nacogdoches with nearly 500. In spite of the dangers that constantly threatened them, many excellent American families had settled near Nacogdoches, and these, with the officers in the Mexican army, formed the higher circles of society. Elaborate dinner-parties were given, at which the conversation was bright and sparkling, the toast-speeches witty and eloquent: toasts were always given to the King of Spain and the President of the United States. In San Antonio lived many descendants of aristocratic Spanish families; the army officers were generally men of polished manners, as they often came from the Vice-regal Court of Mexico; the priests were men of learning and refinement. The governor gave frequent receptions, while each night on the public square the people met to dance, to converse, to promenade, and to visit. Captain Pike, who (in 1805-6) was sent out by our government on an exploring tour, reported San Antonio to be one of the most delightful places in the Spanish colonies.

### STORY OF MRS. JAMES LONG

In 1815 there lived near Natchez, Miss. at the home of the Calverts a young girl of thirteen, who was known far and near as pretty Jane Wilkinson. One afternoon as she was tying on her dainty, green, silk bonnet, a negro girl, rushing breathlessly into the room, said: "Don't go to school, Miss Jane, don't go. A man's just come to see the sick soldier that Marse Calvert has up stairs." "What difference does that make to me? Men come to see him all the time," answered Jane.

"Yes, Miss Jane, but this man is the handsomest man in the world and you just must see him."



Mrs. Long at the age of 70

So the little maid dropped her book satchel, hurried into the parlor where she met Dr. James Long, who at 19 had already made a record for skill and bravery. The young people were soon absorbed in a game of checkers, the prize being a pair of

gloves. Jane won and the next day Dr. Long called; "A debt of honor must be paid promptly, you know," he said offering the gloves.

"You owe me nothing; I was playing only for amusement; ladies do not play for prizes," replied the little beauty.

"But, take them, *please* take them as a gift, just a little souvenir of our meeting," pleaded handsome James.

As she put out her soft white hand to receive the gloves, he whispered eagerly: "How I wish I might dare to ask for the dear little hand that will wear this glove."

Cupid did his work quickly and soon the lad asked permission to marry Jane. The relatives refused, saying both parties were entirely too young even to think of marriage. About this time, as Jane's father was dead, it became necessary for her to choose a guardian. Imagine the surprise of all, when she pointed to her lover and said, "He shall be my guardian." Their wedding bells rang May 14, 1815.

When in June, 1819, Dr. Long started on his expedition to Texas, the young wife was not well enough to go with him; she was so miserable on account of his absence that soon, in spite of weakness, she took her two tiny children and set out to join him. Traveling in a miserable boat, then on horseback in the midst of pouring rain, she reached her sister's at Alexandria, La. and was ill for four weeks. Undaunted this girl-wife pushed on to Nachitoches, to the Sabine and reached Nacogdoches to be joyously clasped in her husband's arms. After a few weeks, which were full of rumors of trouble to come, Dr. Long felt compelled to leave his wife at Nacogdoches, while he went to Galveston Island to ask aid from Lafitte; then came news of the approach of the Spanish forces; again reunited the young couple fled to Red River. The death of their youngest child and the failure of the first expedition caused Mrs. Long to go to her sister's while Dr. Long collected his scattered forces at Bolivar Point. She soon joined him, however, and, when in July 1821, he marched against Goliad, she remained in the little fort on Galveston Bay, promising to wait there till he returned. When no news came, the scanty garrison told Mrs. Long they must leave and make their way back to Louisiana. "I promised my husband to stay here and I shall do so, unless he sends me word to flee or I hear of his death," was her reply. The men left and

the devoted wife, not yet twenty-one years old, waited with no companions save her two children, the youngest of whom was a tiny babe born in the fort and a negro girl, Kian. Winter came on, they suffered from cold and hunger, their only food for a time being oysters that Kian got from the Bay. There was constant danger from pirates and Indians; when the red men came too near, Mrs. Long fired the cannon herself to make them believe the fort was still manned.

In the spring of 1822 a Mexican messenger brought news of Dr. Long's murder. Months passed in the lonely fort before Mrs. Long had an opportunity of traveling the 300 miles to San Antonio. Then she pressed on to Monterey trying to have the slayer of her husband punished. Finding her efforts in vain, she finally went back to Mississippi on horseback, but returned to Texas during the next era, where she was revered by all who knew her. She died in Richmond, Texas, in 1880.

Authorities: President Mirabeau Lamar in Foote's "Texas and the Texans," Vol. I, 198. Mrs. Adèle B. Looscan, Scarff's Comp. Hist. Texas, Vol. I., 649.

#### ADVENTURES OF PETER ELLIS BEAN

Strange as some tale of the Arabian Nights is the story of the adventures of Peter Ellis Bean, who upon the death of Nolan became leader of the Nolan Expedition. After throwing dice to see which one should die (see topic, Fate of Nolan's Men), Bean and some of his companions were marched, oftentimes in chains, to Mexico. On reaching Acapulco on the Pacific coast, Bean, who was considered a dangerous fellow, was placed in solitary confinement. Day after day passed; Bean saw no one save the guard who brought him food, and the sentinel who at regular intervals passed the door of his cell; but he had one friend, a white lizard, that he treated daily to a dainty feast of flies! Questioning the guard he learned that one of his companions becoming ill had been taken to the hospital. Here was an idea! Why could not he by pretending to be sick be sent to the hospital, and thus escape his chains and this terrible solitude? A few days later he groaned for hours, and complained so bitterly that a doctor was called; just before the physician entered Bean struck his elbows vigorously against the stone floor, thus making his pulse beat faster; the doctor said he had fever and must go

at once to the hospital. But alas for Bean's hopes! Instead of being freed from his chains, he was forced to wear them in bed and also to have his feet fastened in stocks; his food was scant, and meat being considered unhealthy for feverish patients, he was allowed each day only the head or neck of a chicken. One day, when even more hungry than usual, he angrily asked the priest who brought him his dinner: "Why is it that I never get any part of the fowl but the head and neck?" "You are hard to please, prisoner; either eat this or go without," replied the priest. Bean threw the plate at the priest, severely wounding him in the head. The hospital officers now put Bean's head in the stocks, and as this was kept up for fifteen days the suffering made him ill indeed. On being taken back to prison, he made his escape, hid in a water-cask on an outgoing vessel, but was, at the last moment, betrayed by the ship's cook, and led back to his cell. The Republicans, soon after this time, rebelled against the Royalist government, and the prisoners in the various Mexican prisons were released, provided they were willing to fight for the king. Bean made many promises, was liberated, and given arms. For two weeks he fought well, but as soon as an opportunity came, he, with all the men he could influence, deserted and went over to the Republicans. Here, under General Morelos, Bean distinguished himself for skill and courage. In 1814, he was sent to the United States to secure aid for the Republicans; on his way he visited Lafitte, who accompanied him to New Orleans, were both men fought bravely in the battle of New Orleans. When Mexico became a republic Bean was made an officer in the army. He married a rich Mexican senorita. He died in 1846. See also Bolton and Barker's *"With the Makers of Texas,"* pages 67-98.

## BLACKBOARD ANALYSIS

ERA II. Filibusters. 1800-1819.

- |                                                   |                                                                                                                                                                                                                                                                                |
|---------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| I. Condition of Mexico.                           | { 1. Revolution under Hidalgo (1810).<br>2. Revolution under Morelos.<br>3. Empire under Iturbide.<br>4. Republic established (1824).                                                                                                                                          |
| II. Nolan's Expedition.<br>(1797-1801)            | { 1. Reasons for expedition.<br>2. Death of Nolan (1801).<br>3. Fate of men. Peter Ellis Bean.                                                                                                                                                                                 |
| III. Disputed Territory.                          | { 1. Louisiana Returned to France. (1800).<br>2. United States purchases Louisiana (1803).<br>3. United States claims Texas.<br>4. Spain claims a Portion of Louisiana.<br>5. Neutral Ground (1806).<br>6. United States Purchases Florida and gives up claim to Texas (1819). |
| IV. Magee's Expedition.<br>(1812-13)              | { 1. Magee and Gutierrez.<br>2. Object.<br>3. Commanders.<br>4. Scenes at Goliad—Magee's Death.<br>5. Americans Capture San Antonio (March, 1813).<br>6. Massacre of Spanish Officers.<br>7. Success at the Alazan.<br>Defeat at the Medina (Aug. 18, 1813).                   |
| V. Settlers on Galveston Island (1816-1821)       | { 1. Failure of Herrera's Settlement.<br>2. Lafitte.                                                                                                                                                                                                                           |
| VI. United States gives up claim to Texas (1819). |                                                                                                                                                                                                                                                                                |



ERA II. Filibusters, 1800-1819.

VII. Long's Expeditions { 1. Cause.  
(1819-1821). { 2. Failure.  
                                  { 3. Long's Death.

VIII. Importance of these  
expeditions.

## ERA III

### ERA OF COLONIZATION

(1819-1830)

[*For footnotes see page 309*]

#### AUSTIN'S COLONY

While the stirring events of the last epoch were happening, rumors of the wonderful soil and climate of Texas spread far and wide. Many a fugitive from the ill-fated expeditions bore the story of his adventures to distant States.

**Moses Austin.**—<sup>1</sup> There lived at this time in Missouri Moses Austin, a man of strong character and untiring energy. He resolved to visit Texas and secure a tract of land for colonization. The time seemed favorable for his plans, as the United States had given up all claims to Texas, as he had been for a time a Spanish subject (see note, p. 305), and as the more liberal section of the Royalist party was in power. In 1820, Austin arrived in San Antonio, where he laid his petition for a grant of land before Martinez (mar-tee'neth), the governor of the province. Instead of the kindness and encouragement he had hoped to receive, Governor Martinez showed him only suspicion. His petition was thrown aside, and he was ordered to leave the province at once.

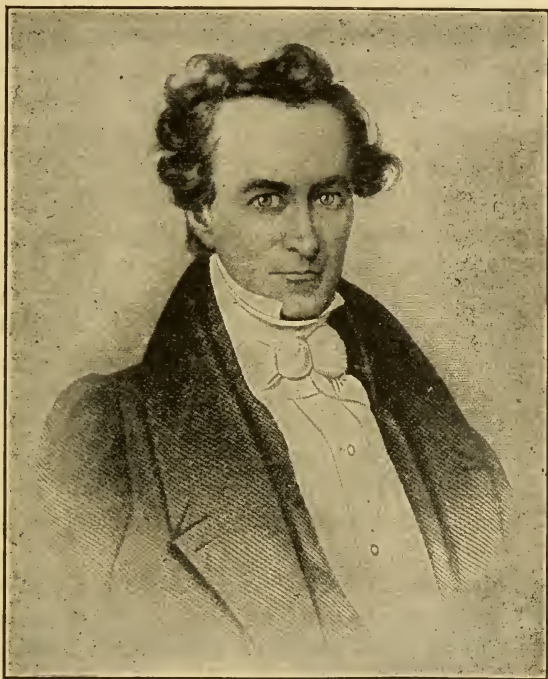
**A Friend in Need.**— With a heavy heart Austin left the Governor's building, not knowing what fate might befall him. Just then he happened to meet on the Plaza

Baron de Bastrop,<sup>2</sup> an officer of importance, whose acquaintance he had made in the United States. To him Austin confided everything. Bastrop proved himself a true friend; through his influence the Governor allowed Austin to remain some time in San Antonio, examined his petition, approved it, and used his influence to secure the approval of higher officers.

**Returns Home to Die.**—Not having time to wait for the officials' decision, but feeling certain of success, in January, 1821, Austin set out for home. A portion of the country over which he passed was scarcely more than a wilderness; the weather was cold, and food was scarce; he suffered untold hardships. His health was ruined. Some weeks after he reached home he died (June 10, 1821). A few days before his death he received news that his petition had been granted, and that he was authorized to settle three hundred families in Texas. His dying request was that his son Stephen should take up the work and carry out the plans that they together had made.

**Stephen F. Austin** needed no urging to undertake the task his father had left him. He was in New Orleans making arrangements for the colony when he learned that his father had secured a grant of land. He hastened to Natchitoches to meet the Mexican Commissioners, Seguin and Veramendi, who had been sent to meet the elder Austin; near here Austin<sup>3</sup> heard the sad news of his father's death. Being informed of the state of affairs, the commissioners were quite willing to acknowledge Stephen Austin's claims. Seguin and Austin arrived in San Antonio August 12, 1821,<sup>4</sup> and were cordially received by the Governor, who granted Austin permission to explore the country adjacent to the Colorado River and choose what lands he wished. Austin selected for

his colony the region lying south of the San Antonio road, on the "courses of the Brazos and Colorado



*S. F. Austin*

*Dec 18. 1836*

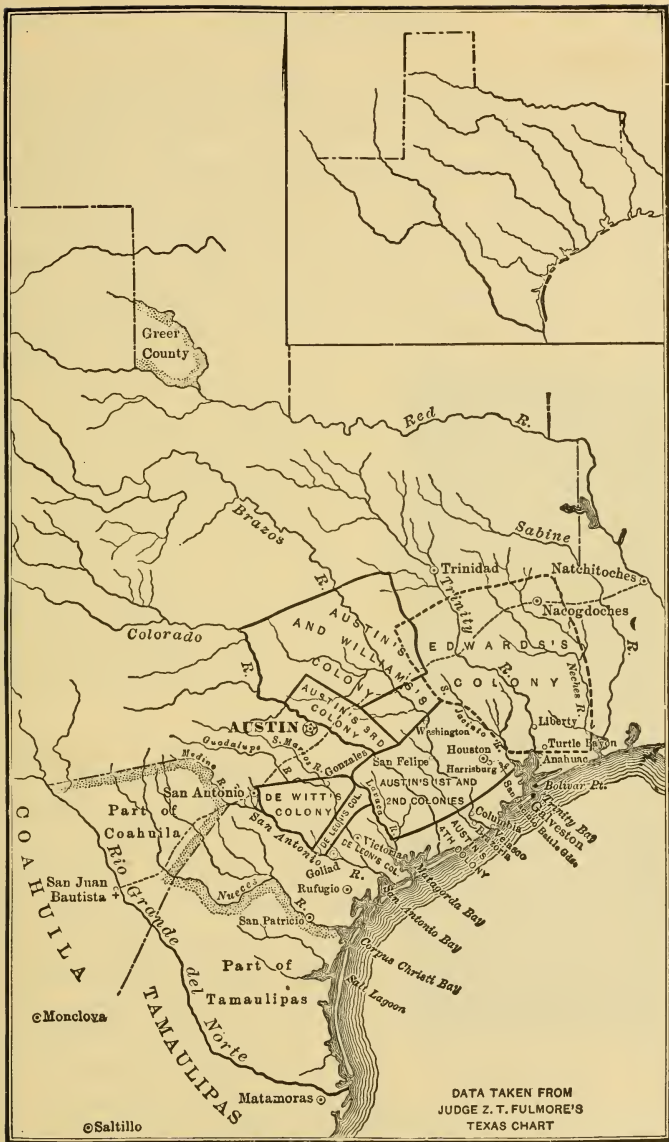
Rivers." This included some of the most fertile land in the province, and was the best choice he could have made.

**Inducements Offered to Colonists.**—Returning to

New Orleans, Austin advertised for colonists. To each man over twenty-one he promised, in the name of the Mexican government, six hundred and forty acres of land; if married, the man received three hundred and twenty more; each child brought the father one hundred and sixty acres, while each slave brought his master eighty acres.<sup>5</sup> The colonists were to pay Austin twelve and one-half cents per acre,<sup>6</sup> as some general fund was needed to meet the expenses of surveying the land and obtaining titles. When a colonist built a mill or any structure of use to the public, he was given more land. Merchants and mechanics were given town lots on which they might erect their stores or shops. Austin, as empresario, or leader of the colony, was, on the fulfilment of his contract to settle three hundred families, to receive immense grants of land. All colonists were required to become Roman Catholics, to swear to uphold the government of the Spanish king, and to furnish evidence of good moral character.<sup>7</sup> With the promise of so much good fortune, many immigrants were willing to follow Austin.

**The Schooner "Lively" and the First Colonists.—**Austin's plan was to establish two routes for entering Texas, one overland and one from New Orleans by water. He himself came "by way of Red River, Natchitoches and the San Antonio Road, collecting his colonists at various points as he proceeded."<sup>8</sup>

He wished to send by water tools and provisions. As he did not have the money to do this, he formed a partnership with Joseph Hawkins of New Orleans; a little schooner, "The Lively," with perhaps twenty men and generous supplies was started from New Orleans about November 22, 1821. She had directions to wait for Austin at the mouth of the Colorado.



MAP FOR ERAS III. AND IV.

For some reason the boat stopped, after an ugly voyage of four weeks, at the Brazos, landed tools, men, provisions, and journeyed to the west. After waiting for Austin several days the little group went on an exploring tour and finally settled a few miles up the river and made a crop. Life was so hard that most of them returned to the United States the next year. "The Lively" came back to New Orleans, took on a new cargo and more passengers, and started once more for Texas: near Galveston Island she was wrecked (May or June 1822), but her passengers were saved.

**Austin Settles on the Brazos.**—December, 1821, Austin and his companions reached Texas. They settled on the Lower Brazos, in Washington County. Austin hurried on, hoping to meet "The Lively" at the appointed place: anxiously he waited, but no news came, and the empresario was obliged to return to his colony. Though greatly inconvenienced<sup>9</sup> by the loss of the boat, Austin and his men bravely began the work of changing Texas from a wilderness to a land of homes, schools and churches.

**Trip to Mexico.**—After a short time a revolution took place in Mexico. As his colony was now established, he thought it best to go to San Antonio and report to the proper officers what he had done. Imagine his surprise when he learned that on account of the revolution<sup>10</sup> in Mexico it would be necessary for him to go to the City of Mexico and have his grant renewed. He also wished to have a full understanding concerning his rights in controlling the colonists. No time was to be lost. Leaving the settlement under the charge of Josiah Bell, of South Carolina, who had recently arrived with his young Kentucky bride, he started for Mexico.<sup>11</sup>

**Success of his Mission.**—Reaching Mexico, April,



1822, he found the government in such a disturbed condition that he was forced to stay there over a year. Never did the genius of Austin shine forth more brilliantly than at this time. In a strange land, whose people were born with distrust of his country, in the midst of warring parties and revolutions, when no one else seemed able to get permanent action from the Mexican government, he succeeded in renewing his grant, and obtaining a statement as to his powers. In 1823, he returned to Texas.

#### **Growth of the Colony.—**

Austin found his colony almost deserted. Discouraged by his long absence, many of the colonists had drifted to the eastern part of Texas; new immigrants who had expected to settle in Austin's colony stopped in Eastern Texas. This course was not a wise one, as they had no legal right to these lands, and were liable to be thrust out at any time. But with the home-coming of Austin came new life and greater prosperity; settlers returned, scores of new immigrants from various parts of the world poured in, all was life and activity. Baron de Bastrop was appointed to survey lands and, with the help of Austin, to issue to the colonists land deeds in the name of the Mexican government. Don Luciano



Statue of Austin  
by Elizabeth Ney

Garcia, the Governor of Texas, was a friend to the colony, and did all he could to make it succeed. In July 1823, he declared that San Felipe de Austin on the Brazos should be the capital: the town was founded in 1824.

**Austin's Rule.**—In the colony, Austin, as *empresario*, was, in most respects, absolute ruler.<sup>12</sup> Seldom does a man who has unlimited power govern with such mildness as did Austin; he was well named the "Father of his colony." Never marrying, he devoted himself entirely to his people. He knew how to be severe when duty demanded. Several disorderly men were banished from the colony, and some were flogged.

**Later Contracts.**—Having by 1825 introduced the three hundred families<sup>13</sup> called for in his contract, Austin asked and obtained permission to bring in five hundred more; in 1827 he was ready for another hundred.<sup>14</sup> In 1828 he obtained land for three hundred, making 1,200 families he brought into Texas. Leaving his colony growing thus rapidly, it will be best to take a glance at other parts of Texas.

### DE WITT'S COLONY

**Waiting for a Colonization Law.**—While Austin was in Mexico trying to secure permission to carry out the plans he and his father had made, Green De Witt, of Missouri, was also in the city to obtain a grant of land. Austin was treated with more favor than the other *empresarios*, for as his case was considered special his petition was granted in 1823, while all others were forced to wait until the Mexican Congress passed a general law for colonists.<sup>15</sup>

**Location.**—Finally in 1825 De Witt was granted the

right to settle four hundred families in the territory west<sup>16</sup> of Austin's colony.

**James Kerr.**—As De Witt expected to be absent from his colony much of the time, he appointed as his trusted agent James Kerr (kar), who resigned a seat in the Senate of Missouri to accept the position.

**Gonzales Founded.**—In the fall of 1825 Kerr with a handful of settlers<sup>17</sup> founded the capital of the colony, Gonzales, so called from Don Rafael Gonzales, the Governor of Texas and Coahuila. These pioneers were the only Americans west of the Colorado, their nearest neighbors being sixty miles away. Trouble with the Indians forced the colony to flee to the settlements on the Colorado. Later Kerr moved his settlers to the Lavaca. After much trouble and many disappointments, De Witt and Kerr had the satisfaction of establishing the colony firmly at Gonzales. From 1828 the tiny hamlet prospered; block houses and a small fort were erected. A census<sup>18</sup> taken at this time shows seventy-five men, women and children.

### DE LEÓN'S COLONY

**Location.**—In 1824 Martin De León, a Mexican by birth, was given permission to settle forty-one Mexican families on unoccupied ground in Texas. While his colony was given no fixed limits, yet he claimed the understanding was that his men had the right to settle anywhere on the lower courses of the Guadalupe and Lavaca Rivers up to within ten leagues of the coast.

**De Witt and De León.**—When in 1825 De Witt came back from Mexico and passed on to Gonzales, he was amazed to find that in the midst of land just granted to him, De León had settled twelve Mexican and sixteen

American families and had established his capital, Guadalupe Victoria.<sup>19</sup>

**De León Wins.**—De Witt and Kerr realized that they must act with caution, as one of the conditions of their grant was that all previous lawful settlers were to be left undisturbed; they also knew that De León's Mexican birth would count greatly in his favor. They found it impossible to understand how the same land could be legally granted to different people. They asked the Mex-



Starting to Texas

ican officers to let them transfer to De León the land on which he had settled, at the same time requesting more land for themselves, so they might have enough for their four hundred families. De León claimed that as a native Mexican he had under the law first choice of land. In October, 1825, the Governor decided in favor of De León, the land commissioner made over the land to him and proceeded to lay out the little capital in formal order. Some years later De León obtained permission to settle one hundred and fifty families.

**Austin Acts as Peace-maker.**—De Witt and his colonists felt that they had been unjustly treated. Many disagreements arose and there was bitter feeling between Gonzales and Victoria, but finally through the efforts of Stephen F. Austin, who might well be called the "Great Peace-maker," all serious trouble was avoided.

### EDWARDS'S COLONY

**Location.**—In April, 1825, a large tract of land in Eastern Texas was granted to Hayden Edwards.<sup>20</sup> His contract called for eight hundred families. In October of the same year, Edwards, with his family and a number of immigrants, arrived in Nacogdoches, which was to be the capital of the colony.

**Troubles of the Colony.**—Edwards found many troubles awaiting him. Since 1779, when Gil y Barbo founded Nacogdoches, there had been Mexican families living near the little town. Indians, rough characters from the Neutral Ground, and daring American adventurers, all claimed more or less of the land granted to Edwards. As empresario Edwards was instructed to respect the rights of all settlers who held legal titles to their land. He ordered that all settlers who held land certificates should present those certificates to him, that it might be decided whether the certificates were legal or not. He warned those who did not present certificates that the land claimed by them would be sold. This action naturally displeased all those who had not taken out land titles; the Mexican settlers were offended that Edwards, an American, should be placed over them. The officials of Texas and Coahuila said Edwards had no authority to sell land and from this time they seemed prejudiced against him.

**Election of Alcalde.**—Edwards gave orders (December 15) for the election of militia officers, and also advised the election of an alcalde (a magistrate or judge). His enemies claimed he was acting beyond his authority, and made complaint against him to higher Mexican officials. To make matters still worse the Americans put forward, as their candidate for alcalde, Chaplin, Edwards's son-in-law, while the Mexicans favored Samuel Norris. The colonists decided that Chaplin was elected, and he took possession of the office, but Edwards's enemies, claiming that the election was not conducted fairly, reported the whole matter to the political chief at San Antonio. The chief decided Norris should be alcalde, and issued his orders to that effect. Chaplin yielded. Then began a series of misfortunes and trials for the Americans; every disputed title, every claim that came before the alcalde, was decided in favor of the Mexican.

**Letter to the Governor.**—In the midst of all this trouble, Hayden Edwards was compelled to go (1826) on business to the United States. He left everything in charge of his brother Benjamin. As the troubles increased, Edwards, acting upon the advice of Austin,<sup>21</sup> wrote a full account of the entire matter to Blanco, Governor of Texas and Coahuila. Before a reply was received, Hayden Edwards returned, only to be met by rumors that his contract was to be annulled and all the property of his colonists to be given over to the Mexicans.

**Edwards Ordered to Leave.**—Finally came Blanco's response to Benjamin Edwards's letter. After stating that the letter showed a lack of respect for superior officials, and after naming the charges against Edwards, Blanco added: "In view of such proceedings, by which the conduct of Hayden Edwards is well attested, I have



decreed the annulment of his contract, and his expulsion from the territory of the Republic. He has lost the confidence of the government, which is suspicious of his fidelity; besides, it is not prudent to admit those who begin by dictating laws. If to you or your constituents these measures are unwelcome and prejudicial, you can apply to the supreme government; but you will first evacuate the country; both yourself and Hayden Edwards."

**Edwards Rebels.**—Edwards had spent some \$50,000 on his colony; many of the settlers had gone to great expense in coming to Texas; these now saw ruin staring them in the face. Mexicans claimed everything that belonged to Edwards's party. Edwards decided to throw off Mexican rule and fight for what he considered justice.

**Republic of Fredonia.**—He wrote asking aid from other Americans in Texas, especially from Austin's and De Witt's colonists, also from the United States and from the Indians. The Cherokees, under two strong leaders, Fields and John Dunn Hunter,<sup>22</sup> were much displeased with the Mexican government for not giving to them a grant of land: they entered into a solemn compact to aid the colony against the Mexicans. Edwards and some of his men, having assumed the name of Fredonians, assembled in convention with the representatives of the Cherokees and in due form declared that the "Republic of Fredonia" was and ever should be independent of Mexico. The convention divided Texas into two parts (the division mark being a line running north of Nacogdoches to the Rio Grande), the northern section of which was to belong to the Indians and the southern section to the Americans. Norris was deprived of his office as alcalde. Preparations were made for war.



**Fredonian Rebellion Fails.**—Edwards was disappointed on every side. Austin, knowing the Fredonian colonists could not succeed, refused aid, and rebuked them for allying themselves to the savages; no volunteers came from the United States; Peter Ellis Bean, sent by the Mexican government, visited the Indians, and by promising them the land they wished induced them to desert the Fredonians. A force of Mexican soldiers advanced (January, 1827) against Nacogdoches. When they reached San Felipe de Austin, Col. Austin induced Col. Ahumada (ä-ū-mä'-dä), the Mexican commander, to offer free pardon to all Fredonians and to announce that Edwards might lay his case before the state authorities. Paying no heed to this offer, Edwards and Martin Palmer, the military leader of the Fredonians, sent a strong appeal to the Cherokees for aid, but the savages went over in a body to the Mexicans. Overpowered by the strength of the enemy, the Fredonians fled January 31, 1827, into the United States. Through Austin's influence, the Mexicans treated the colonists who remained with some justice.<sup>23</sup> Edward's grant was divided between David G. Burnet, Lorenzo de Zavala and Joseph Vehlein.<sup>24</sup>

**Unfortunate Results.**—From this time the Mexicans distrusted the American colonists: they felt that all Anglo-Saxons were only waiting an opportunity to rebel and take possession of Texas. On the other hand, the Americans saw the Mexicans were not yet ready to rule themselves and certainly not ready to rule others. They felt there was no hope for justice in a trial between Mexican and American when the judge was a Mexican.

#### TEXAS AS A WHOLE

**Empresario System.**—During this era about twenty-six empresarios took out grants of land.<sup>25</sup> The

empresario system was a favorite method of colonization with the Mexicans. The empresario made a petition to the government for permission to settle at his own expense a given number of families upon unoccupied lands. For each one hundred families settled in Texas, the empresario was given five square leagues (22,142 acres) of grazing land and five *labors* (885 acres) of land suitable for cultivation. If within six years from the date of the contract, the empresario had not settled the promised number of families, he lost many of his rights and privileges, while if he had not settled one hundred families his contract became null and void.

**Year of Immigration.**—The year 1825 has been called the year of immigration, for then it was (March 24th) that the State legislature of Texas and Coahuila passed a liberal colonization law, and declared that the government was eager to see Texas settled with industrious, liberty-loving citizens. Led by the generous offers of land, and the fair promises of the government, many Americans not connected with the colony of an empresario came to Texas, and received grants of land directly from the State.

**Texas Joined to Coahuila.**—Texas was until 1824 a separate province of Mexico, but at that time Texas, Nuevo (nuā-vo) León, and Coahuila were united in one state. In a few months Nuevo León was made a separate state. The “State of Coahuila, and Texas” had its capital located at Saltillo. As this arrangement caused the governor to live so great a distance from Texas, a Chief of the Department of Texas was appointed, with headquarters at San Antonio; this officer performed many of the duties of governor, but he was in all things dependent upon his superior officer. The Congress (corresponding to our legislature) of the State of Coahuila

and Texas adopted a Constitution, which was published in 1827. The State officers were not elected directly by the people. The whole plan of union with Coahuila was unpleasant to the Texans. They were promised, however, that as soon as Texas reached a certain population she should become a separate State.

**Local Government.**—Every town of one thousand inhabitants was entitled to an ayuntamiento (ä-yun-tä-mñ-ën'-tō) (common council), which was composed of the *alcaldes* (judges), the *sindico* (sën-dē'-kō), (a recorder), and the *regidores* (rā-hē-dōrs') (aldermen), all of whom were elected directly by the people. We shall see in the next era that these town officers did much for the cause of liberty in Texas's struggle for independence.

**The Indians.**—During this era the Indians were a source of danger to all Texas colonists. Some of the *empresarios* tried to win their friendship by kindness, but when this plan failed, force was used. After many severe punishments, the savages, learning that the American settlers never failed to pay back with interest every injury, grew less troublesome. In recalling the hardships of Texas veterans, we must not forget that while one hand guided the plow, the other was forced to wield the sword to protect the lives of wives and little ones.

**Character of the Colonists.**—While some of the people who came to settle in Texas were rude and ignorant, yet many of the colonists were from the best families of both the North and the South; some, like the elder Austin, left their old homes because they had failed in business, and thought the new West offered better opportunities to them and to their children; some came for health; others were led by love of adventure and longing for new scenes. Had the early Texans not been men and women of more than ordinary courage and strength

of character, our history would not have been so rich in heroic deeds.

**Growth.**—The great progress made during this era is best to be seen by comparison. In 1820 there were not more than four thousand civilized inhabitants in Texas, while in 1830 the State boasted about twenty thousand Americans alone. From the Sabine to the Neucēs empresarios had taken out grants until the whole surface of the province seemed covered. Columbia, Brazoria, Gonzales, Victoria, San Felipe de Austin became as familiar names as Bexar, Goliad and Nacogdoches. Waste places were fast giving way to fertile farms and blooming gardens. The sturdy American colonists, trained to self-government, had done more for Texas in ten years than the Spaniards in three hundred years.

### SUMMARY OF ERA III

Moses Austin, from Missouri, came to San Antonio in 1820. Aided by Baron de Bastrop, he obtained permission from the Spanish government to settle 300 families in Texas. He died (June 1821) from exposure on his return trip. Taking up his father's work, Stephen F. Austin located his grant of land on the lower course of the Brazos and the Colorado. Generous offers of land attracted many colonists. A revolution forced Austin to go to the City of Mexico (1822); in a year he returned after a special law had been passed by the Mexican congress regulating matters in his colony. He was granted the right to settle 1,200 families and was the leading figure in the whole colonial era.

A general colonization law passed the Mexican Congress in 1824: Texas and Coahuila passed a detailed colonization law in 1825. Under these laws Green De Witt received permission to settle four hundred families in territory west of Austin's colony. Gonzales, the capital, was founded in 1825.

Martin De Leon was given the right to settle 41 Mexican families on unoccupied land. He settled on land in De Witt's grant. When a contest arose between the two empresarios, the

Governor of Texas and Coahuila decided in favor of the Mexican. Austin, the Peace-maker, prevented any serious trouble between the two colonies.

In 1825 Hayden Edwards was authorized to settle eight hundred families in East Texas. Trouble arose over Mexican and American settlers who already claimed certain sections of this grant. Edwards and his brother indiscreetly antagonized the Mexican officials and were ordered to leave Texas. They rebelled and organized the Republic of Fredonia; no aid came from any source, hence the rebellion failed. Edwards left the province and Austin persuaded the Mexican officers to deal gently with the colonists.

1825 is known as the Year of Immigration. About twenty-six empresarios took out grants during this era. In spite of trouble with Indians and many hardships Texas grew rapidly.

#### MANNERS AND CUSTOMS

[Read Bolton and Barker's "*With the Makers of Texas*," pages 99-158.]

ON THE BRAZOS.

TEXAS, NOVEMBER 5, 1830.

DEAR FRIEND: Your letter came a month since. I am sure you cannot imagine with what joy it was read; you, who receive your mail twice a week, know nothing of the hunger we suffer for news from friends, relatives, and the great world. If the mail reaches us once a month, we consider ourselves fortunate. But, after all, there is a silver lining to this dark cloud, for when letters and papers do arrive, we enjoy them a thousand times more than we did in Virginia. Dear old Virginia! I love even to write the name, it brings back so many pleasant memories.

But now to answer your numerous questions concerning our Texas home. When we reached here, for some weeks we camped out, or tented, as it is called, for Mr. Ray had so much to do in looking over the country, that he had no time for building. Early one morning, however, the negroes — we had brought ten with us — were set to work, and in a few days I was mistress of a mansion. It is a log house, with two large rooms and a broad hall between and is considered the palace of the sur-

rounding country. I never remember experiencing a greater thrill of pride than when I stepped into my log castle. Doors are unheard-of luxuries, so I have hung gay quilts across the openings where the doors ought to be. A bed and table are my only pieces of furniture, as all our goods shipped from New Orleans were lost. Trunks answer for chairs. You may wonder why we do not buy furniture, but when I tell you the nearest town is seventy-five miles away, and that there you must have everything made, you will not be surprised at our condition.

Never, my dear Florence, did I see true hospitality until I came here. At every house, be it ever so humble, you are a welcome guest; they ask you to have coffee; or, if it be meal-time, to share their food. The coffee-pot is always kept filled. I'd like to see you take a drink of it. The average Texan scorns cream and sugar; he wants his coffee as strong and black as possible. I have learned to drink it bitter, for since our sugar gave out we have not been able to get more. As you are curious to know what we find to eat, I'll enter into particulars. When we came here game was scarce for several months on account of a drought. We engaged an Indian, whose sole duty was to supply us with meat, and, as he knows the surrounding country, he has kept us stocked with game and bird-eggs. We could do without him now, for the woods are full of birds and prairie chickens, but we have become so much attached to him that we hate to give him up. For bread we have not fared so well. Our flour was shipped, but never reached us. We have had enough corn-bread most of the time and have no fear for the future. Did you ever do without salt for a week? That is the experience we had, and other colonists went without for much longer. You cannot imagine how necessary it is to your comfort till you are deprived of it. Dear me! it makes me shudder to think how tasteless everything was. Our hunter brings us plenty of honey, which he gets from the "honey-trees," so called because the bees are fond of depositing their honey in that kind of a tree. Many of the hunters will not be bothered gathering the honey, as they wish the wax to sell to the Mexicans. You know the Mexicans are Catholics, hence they consume great quantities of the wax in making candles for their churches. By the way, speaking of honey reminds me of a curious fact our hunter told me about bees. He says bees never come to a country except when the



palefaces are to follow. Whenever the honey becomes plentiful the wise Indian moves away, for he feels sure the Great Spirit has sent him this warning that the whites are coming.

About a week after our arrival our nearest neighbor, *only* thirty miles away, sent us some butter, eggs, and chickens, with the request for coffee in exchange. I was only too willing, as I was anxious for poultry. This system of trade is rather common. If you decide to emigrate, bring with you a large supply of coffee, sugar, and quinine and I believe you can buy up almost everything in the country. We now have an abundance of butter and milk, while my fowls are fine as any you have.

All settlers in Texas have not been so fortunate as we have. The following pitiful account was given me by Mr. Dewees,\* who has written a series of interesting letters on Texas: "Our sufferings have been great for want of provisions. On account of the dry weather our crops were poor and are now entirely spent; the game left this section of the country. There have many new settlers come on this fall, and those who have not been accustomed to hunting in the woods for support must suffer. A party of men is obliged to go each morning to hunt food, leaving some men at home to guard the women and children from the Indians, who are very hostile. Game is now so scarce that we often hunt all day for a deer or a turkey, and return at night empty-handed. It would make your heart ache to see the poor little half-naked children, who have eaten nothing during the day, watch for the return of the hunters at night. As soon as they catch the first glimpse of them, they run to meet them. If the hunters return with a deer or a turkey, the children are almost wild with delight; if the hunters are empty-handed, the children stop in their courses, their countenances fall, the tears well up in their eyes and roll down their pale cheeks."

The dress of the people varies according to the length of time they have been in Texas. Acting on my mother's advice I brought clothes enough to last us several years; others have done the same, but the great majority brought scanty wardrobes. The question of buying dry-goods here is a serious one. Calico costs seventy-five cents per yard. As money is scarce with us all, a lady seldom has more than one Texas calico dress. Men and women sometimes dress in skins.

\* See "Letters from an Early Settler of Texas," by W. B. Dewees, p. 43.



The society is just what you might expect from the mixture of people we have here. Last Sunday we paid a long-promised visit to Mr. V. and family; he was a classmate of my husband at the University of Virginia. They are living in a shed built under a cluster of trees, as their log house is not yet finished. There were no windows, but the light had plenty of room to come in at the cracks. In that one little room there were four beds,—as white and inviting looking as any in Richmond,—china, glassware, a few pieces of silver, and several books. All was as neat as wax. Mrs. V. was dressed in a linen wrapper and a lace cap, while Mr. V. was also in faultless attire. Now, that is one side of the picture; here is the other. The next day we had occasion to stop for dinner at Mr. K.'s. He and his wife were dressed in skins. The cabin was dirty; the rickety old bed was still dirtier; the bill of fare consisted of fried bacon, black coffee, and corn-bread. The host took Mr. R. aside and asked: "What was your name before you came to Texas and what did you do to make you come? Mr. Ray answered. "I came for health, and my name was as it is now, Henry Ray." It was easy to see that our host did not believe the statement; we afterwards found that he left Georgia five years ago for stealing horses. It gives me pleasure to be able to say that we have met more people of culture and refinement than of rough and coarse natures; it provokes us to think that throughout so many of the States the common belief is that Texas has been for the most part settled by desperadoes and villains.

Of our educational advantages I cannot boast. Mexico has recently passed two laws: one that a school shall be established in each division of each State; the other that children shall be taught reading, arithmetic, Roman Catholic religion, and a catechism of *all the arts and sciences*. These laws amount to nothing. We really have no system of public education. A few excellent private schools exist. As the country becomes more thickly settled, these will increase.

Last week we had the pleasure of entertaining for the night Mr. T. J. Pilgrim, who about a year ago came out to Texas from New York. After many adventures he reached San Felipe de Austin and was most kindly received by the great empresario, Austin. He at once opened a school, and soon had forty pupils, the most of whom were boys. He told us he had never taught

brighter or better children, they seemed so anxious to learn and improve every moment of time. Mr. Pilgrim also organized a Sunday school, and this, too, was a great success, until some trouble arose between a few of the settlers and some Mexicans; the Mexicans, much out of humor, came to San Felipe to settle the matter, and Austin fearing they would report to the authorities that he was violating the law (for, you probably know, we are not by law allowed to teach or believe the Protestant religion, though really I don't believe the officers care), thought best to close the Sunday school. By the way, Mr. Pilgrim knows Mrs. Josiah H. Bell, whom you admired so much when you met her in Kentucky just before she married and came to Texas. Mr. Pilgrim visited Mr. and Mrs. Bell not long since, and in telling us of their home, he said:

"I met Josiah H. Bell on his way to his home in Columbia, and from him I received a cordial invitation to accompany him home. I cheerfully accepted, and the next night was spent with his family. Mr. Bell is an estimable gentleman, a pure patriot, of stern, unyielding integrity: he has endured the privations, toils, and hardships incident to the settlement of a new country, and knows well how to sympathize with others in like circumstances. He told me he had gone thirty miles and packed corn horseback to feed his family; had taken his rifle in the morning and gone in search of a deer, knowing, if successful, they would have meat, if not, they must all do without; but seldom did his trusty rifle fail him or his family suffer. They are now living in comparative affluence, with an interesting family of children. Mrs. Bell is one of the noblest women I ever knew in any country; though living in the wilds of Texas, her intelligence, good taste, and polished manners would grace the most refined circles of New York or Philadelphia. Her house is a welcome home to every stranger, where the hungry are fed, the naked clad, the sick nursed with that tenderness and sympathy which removes many a dark cloud from the brow of sorrow, and causes the lonely wanderer to feel less acutely the absence of home and relatives."

How often do we attend church? Don't be too shocked when I tell you we heard our last sermon in Virginia. If we wanted to go to church ever so much, we could find in this part of Texas no church and no minister. I have heard that in other portions of the country a few preachers, in spite of the laws, do live

and hold services, but we have not even a Catholic church anywhere near us. Sunday is spent by most Texans in hunting, fishing, and breaking wild horses. All elections are held on Sunday. Some of us, however, observe the Sabbath, and try to live as if we were still in Virginia. . . .

Hoping you may make up your mind to pay us a visit, and with much love to all my friends,

I am, ever yours,

JULIA C. RAY.

**Gentle Breeding in a Cabin.\*** "I found him (Thomas B. Bell) living on the San Bernard, domiciled in a pole-cabin in the midst of a small clearing upon which was a crop of corn. His wife, every inch a lady, welcomed me with as much cordiality as if she were mistress of a mansion. There were two young children and they, too, showed in their every manner the effects of gentle training. The whole family were dressed in buckskin, and when supper was announced, we sat on stools around a clapboard table, upon which were arranged wooden platters. Beside each platter lay a fork made of a joint of cane. The knives were of various patterns, ranging from butcher knives to pocket-knives. And for cups, we had little wild cymlings, scraped and scoured until they looked as white and clean as earthenware, and the milk with which the cups were filled was as pure and sweet as mortal ever tasted. The repast was of the simplest, but served with as much grace as if it had been a feast, which, indeed, it became, seasoned with the kindly manners and pleasant conversation of those two entertainers. Not a word of apology was uttered during my stay of a day and a night, and when I left them I did so with a hearty invitation to repeat my visit. It so happened that I never was at their place again, but was told that in the course of time the pole cabin gave place to a handsome brick house and that the rude furnishings were replaced by the best the country boasted, but I'll venture to say that the host and hostess still retained their old hospitality unchanged by change of fortune."

**Visit to De Witt's Colony.†** "Next morning I set out (from mouth of Lavaca River) on foot for Dewitt's colony. . . .

\* From Smithwick, "The Evolution of a State," p. 33.

† From Smithwick, "The Evolution of a State," pp. 14-16.

The colonists, consisting of a dozen families, were living—if such existence could be called living—huddled together for security against the Karankawas, who, though not openly hostile, were not friendly. The rude log cabins, windowless and floorless, have been so often described as the abode of the pioneer as to require no repetition here; suffice it to say that save as a partial protection against rain and sun they were absolutely devoid of comfort. Dewitt had at first established his headquarters at Gonzales, and the colonists had located their land in the vicinity, but the Indians stole their horses and otherwise annoyed them so much, notwithstanding the soldiers, that they abandoned the colony and moved down on the Lavaca, where they were just simply staying. . . . Game was plenty the year round, so there was no need of starving. Men talked hopefully of the future; children reveled in the novelty of the present; but the women—ah, there was where the situation bore heaviest. . . . They had not even the solace of constant employment. The spinning wheel and loom had been left behind. There was, as yet, no use for them—there was nothing to spin. There was no house to keep in order; the meager fare was so simple as to require little time for its preparation. There was no poultry, no dairy, no garden, no books, or papers . . . no schools, no churches—nothing to break the dull monotony of their lives, save an occasional wrangle among the children and dogs. The men at least had the excitement of killing game and cutting bee trees. It was July, and the heat was intense. The only water obtainable was that of the sluggish river, which crept along between low banks thickly set with tall trees, from the branches of which depended long streamers of Spanish moss swarming with mosquitoes and pregnant of malaria. Alligators, gaunt and grim—certainly the most hideous creatures God ever made—lay in wait among the moss and drift for any unwary creature who might come down to drink.”

**A Wedding in Austin's Colony.\*** “They were a social people these old Three Hundred. . . . There were a number of weddings—during my sojourn—the most notable one perhaps being the marriage of Nicholas McNutt to Miss Cartwright. . . . There being no priest in the vicinity, Thomas Dukes, the “big” alcalde, was summoned from San Felipe. The alcalde tied

\* From Smithwick, “The Evolution of a State,” pp. 39–40.

the nuptial knot in good American style, but the contracting parties had to sign a bond to avail themselves of the priest's services to legalize the marriage at the earliest opportunity. . . .

The first and most important number on the program being duly carried out, the next thing in order was the wedding



A Texas Gallant of 1830

supper, which was the best the market afforded. That being disposed of, the floor was cleared for dancing. It mattered not that the floor was made of puncheons. When young folks danced in those days, they danced; they didn't glide around; they "shuffled" and "double shuffled," "wired" and "cut the pigeon's wing," making the splinters fly. There were some of

the boys, however, who were not provided with shoes, and moc-casins were not adapted to that kind of a dancing floor and, more-over they couldn't make noise enough, but their more fortunate brethren were not at all selfish or disposed to put on airs, so, when they had danced a turn, they generously exchanged foot-gear with the moccasined contingent and gave them the ring, and we just literally kicked every splinter off that floor before morning."

**The Story of Some German Colonists.** Frederick Ernst, a German book-keeper, emigrated to America and, when he heard of the generous land grants offered by the Mexican government, decided to settle in Texas. His daughter, Caroline von Hin-ueber, tells the following story.\*

"When my father came to Texas I was a child of eleven or twelve years. . . . We set sail for Texas in the schooner *Saltillo* (Säl-teel'-yo).

"The boat was jammed with passengers and their luggage so that you could hardly find a place on the floor to lie down at night. I firmly believe that a strong wind would have drowned us all. We landed at Harrisburg, which consisted at that time of about five or six log houses, on the 3d of April, 1831. Cap-tain Harris had a sawmill, and there was a store or two, I be-lieve. Here we remained five weeks, while Fordtran [a friend] went ahead of us and selected a league of land. . . .

While on our way to our new home, we stayed at San Felipe for several days at Whiteside's Tavern. The courthouse was about a mile out of town, and here R. M. Williamson, who was then the alcalde, had his office. I saw him several times while I was there, and remember how I wondered at his crutch and wooden leg. S. F. Austin was in Mexico at the time, and Sam Williams, his private secretary, gave my father a title to land which he had originally picked out for himself. My father had to kiss the Bible and promise, as soon as the priest should ar-rive, to become a Catholic. . . .

"My father was the first German to come to Texas with his family. He wrote a letter to a friend in Oldenburg, which was

\* From *Texas Quarterly*, II, 227. Translated from the German by Rudolph Kleberg, Jr.



published in the local newspaper. This brought a number of Germans, with their families, to Texas in 1834.

"After we had lived on Fordtran's place six months, we moved into our own house. This was a miserable little hut, covered with straw and having six sides, which were made out of moss. The roof was by no means waterproof, and we often held an umbrella over our bed when it rained at night, while cows came and ate the moss. Of course we suffered a great deal in winter. My father tried to build a chimney and fireplace out of logs and clay, but we were afraid to light a fire because of the extreme combustibility of our dwelling. So we had to shiver.

"Our shoes gave out, and we had to go barefoot in winter, for we did not know how to make moccasins. Our supply of clothes was also insufficient, and we had no spinning wheel, nor did we know how to spin and weave like the Americans. It was twenty-eight miles to San Felipe, and, besides, we had no money. . . .

"No one can imagine what a degree of want there was of the merest necessities, and it is difficult for me now to understand how we managed to live and get along under the circumstances. We were really better supplied than our neighbors with household and farm utensils, but they knew better how to help themselves. Sutherland used his razor for cutting kindling, killing pigs, and cutting leather for moccasins. My mother was once called to a neighbor's house, five miles from us, because one of the little children was very sick. My mother slept on a deer skin, without a pillow, on the floor. In the morning, the lady of the house poured water over my mother's hands, and told her to dry her face on her bonnet.

"At first we had very little to eat. We ate nothing but corn bread. Later we began to raise cow-peas, and afterwards my father made a fine vegetable garden. At first we grated our corn, until father hollowed out a log and we ground it as in a mortar. We had no cooking stove, of course, and baked our bread in the only skillet we possessed. The ripe corn was boiled until it was soft, then grated and baked. The nearest mill was thirty miles off.

"The country was very thinly settled. Our three neighbors lived in a radius of seven miles. San Felipe was twenty-eight



miles off, and there were about two houses on the road thither. In consequence, there was no market for anything you could raise, except for cigars and tobacco, which my father was the first in Texas to put on the market. We raised barely what we needed, and we kept it. Around San Felipe, certainly, it was different, and there were some beautiful farms in the vicinity.

"We lived in our doorless and windowless six-cornered pavilion about three years."

**The Wacoes and the Tawacanies.\*** In July, 1824, Austin's colony was so annoyed by thieves among the Indians, that Col. Austin sent a committee to make a treaty with the red men. Mr. Kuykendall writes: "They took with them some goods to barter with the Indians for horses. They crossed the Brazos at the San Antonio road and proceeded up the river on the east side to the Tawacanie village—thence they crossed over to the Waco village—the site of the present town of Waco. They were well received by the Indians, who had recently returned from their summer buffalo hunt and were feasting on buffalo meat, green corn and beans. They also had pumpkins and melons. They dwelt in comfortable lodges, conical in shape, the frames of which were of cedar poles or slats and thatched with grass. The largest of these lodges (the council-house) was fifty-nine paces in circumference. The Wacoes and Tawacanies spoke the same language, and were essentially the same people. Judge D. thinks the two tribes could then number between two and three hundred warriors. They smoked the pipe of peace with the embassy and pledged themselves to peace and amity with the colonists. They had a great number of horses and mules. A small plug of tobacco was the price of a horse and a plug and a half that of a mule."

**The tricky Tonkewas.†** "Austin . . . tried to induce the Tonkewas to cultivate the soil. He gave the chief, Carita, hoes and other farming implements and an ample supply of seed corn and Carita promised that his people should clear land in the Colorado bottom and plant corn. But with this promise he had, probably, no intention to comply. He made bread of the seed corn and after it was all consumed visited Austin and in-

\* From Texas Quarterly, January 1903, p. 249. Reminiscences of J. H. Kuykendal.

† From Texas Quarterly, January 1903, p. 252.

formed him that the Great Spirit had told the Tonkewas not to raise corn, but hunt as they had always been accustomed to do, and look to their white friends for the staff of life. Whereupon Austin informed him that *he* was inspired to say that the Tonkewas would starve if they did not go to work. The Tonkewas, however, never essayed to till the soil.

"Carita . . . was a very shrewd Indian and quite sharp at driving a bargain. He was wont to say that if Austin would trade with him he could cheat him out of his Colony."

**A Mexican Don Surprised.\*** "The De Leóns and other Mexicans of Victoria had large stocks of cattle near the coast. They charged the Carancawas (and probably with truth) with stealing their cattle, and one of them resolved to exterminate the Indians by means of poison. The person to whom he applied for the poison, divining his purpose, gave him cream of tartar instead of arsenic. A large quantity of boiled corn was the vehicle of this supposed poison. The savory hominy was charitably distributed to the red men who took it to their camp and ate it. The next morning to the astonishment of the hospitable Don, the Carancawas presented themselves before him and begged for another supply of boiled corn!"

**Kindness of Early Settlers.†** "In the morning, we were received with open arms by the good people of Harrisburg. Father was very sick, and had to be carried. A Mrs. Brewster had him taken to her home. She was a widow.

"Uncle James Wells went out to rent a house, but there was none vacant. There was not a dray nor a wagon in the place.

A Mr. Andrew Robinson came to see father, and said he had a new house half a mile from town, which he could have. He said his old woman wanted to visit their son, Andrew, living at San Felipe. Mr. Lytle had a cart and one yoke of oxen, and he moved us. He wouldn't take pay for his work; said that was not the way in Texas. In the evening the men came with the cart for father and mother. When we got to the house, the kind ladies had sent meal, butter, eggs, milk, and honey, and had the house in order and supper ready."

\* From Texas Quarterly, January 1903, p. 253.

† The extracts that follow are taken from the Reminiscences of Mrs. Dilue Harris, who as a child, came with her parents, Dr. and Mrs. P. W. Rose, to Texas. See Texas Quarterly, October 1900.

**Negroes Direct from Africa.** "One cold day we could see in the direction of Galveston Bay a large crowd of people. They were coming to our house. Mother said they were Indians, and we were badly frightened. Brother ran to the field for father and Uncle James. By the time they got to the house, the travelers were near. Mother wanted to leave the house and go in the woods, but father said no. He said that probably they had been shipwrecked, as it was only thirty miles to the bay. When they got near the house, there were three white men and a large gang of negroes. One man came in and introduced himself as Ben Fort Smith. He said he lived near Major Bingham's, and that he was lost and nearly starved. He asked father to let him have two beeves and some bread. Father told him that he did not own the cattle, but as it was a case of necessity, he would kill two beeves, and send for Mr. Dyer, the agent. Father killed the beeves and helped to skin them. One man made a fire near some trees, away from the house. As soon as the beeves were skinned the negroes acted like dogs, they were so hungry. With the help of father and uncle, the white men kept them off till the meat was broiled, and then did not let them have as much as they could eat. Father did not have bread for them. Mother prepared dinner for the white men.

"After dinner, Mr. Smith explained to father how he came to be lost on the prairie. He said he had a plantation on the Brazos river near Major Bingham's. . . . The negroes were so enfeebled from close confinement that they could not travel. He rested one day, and would have reached home the next night if he had not got lost. He had been absent some time and did not know the Brazos river had overflowed . . .

"Next morning, Mr. Smith asked father's permission to stay till he could send to his plantation for assistance. After three or four days, Mr. Smith's body servant, Mack, brought a wagon and team and clothing for the negroes. Mack made them go to the creek, and bathe. . . . After they were dressed, he marched them to the house for mother and us little girls to see. He tried to teach them to make a bow. They laughed and chattered like monkeys. They did not understand a word of English. All the men and boys in the neighborhood came to see the wild Africans."

**English Colonists, who Expected Much.** "Ten families from England had just arrived in Texas. One woman, with her son and daughter, stopped at Harrisburg. She was a dress-maker and a milliner. She was very much disappointed, as she had brought a stock of millinery goods from New York with the expectation of finding Harrisburg a large city. Three families of them came to our neighborhood. One man, Mr. Page, seemed to be the leader.

"Mr. Page was a very smart man. He had a wife and a girl babe. They all appeared to be good people, but they were sadly out of place in Texas. They had elegant clothing, silverware and some fine furniture. Not one of them knew anything about farming or country life. They had all been reared in the city of London."

**A Ball for Pretty Jane.** "Two of the English families were named Adkins. One of the Mrs. Adkinses was a widow with a pretty daughter named Jane. Jane was lovely, dressed very fine, and could sing and play the guitar. The boys went crazy about her. Leo Roark and Harvey Stafford came to see mother to get her to give a ball, so they could get acquainted with the English beauty. She at first refused, but they teased and persuaded father till he said yes. The boys went from house to house inviting the people. Mother soon got things in order with help from the neighbors, and the happy day came. Harvey Stafford went to see the pretty Miss Adkins and offered to bring a horse and side saddle and escort her to the ball, but she could not ride. She had never rode a horse. There was nothing he could do but use the cart and oxen. Harvey Stafford had a negro man to drive. He and Mr. Adkins, three ladies and four children, came riding in the cart, sitting on common chairs with rawhide seats. After all the trouble the boys had, the young lady did not dance, but sang and played the guitar. . . . The pretty English girl was very much admired. She was dressed in blue silk, with artificial flowers in her hair. When daylight came, all went home wishing the night had been six months long."

**A Barbecue on the Fourth of July.** "The Fourth of July was a fine day. The barbecue was near Mr. Dyer's house, and

the quilting and ball were at the house. The ladies spent the day in conversation and work, the young people dancing in the yard, the children playing under the trees, and the men talking politics. There was no political speaking, as the Mexicans were present. . . . Three of the Mexicans ate dinner and were very sociable. One of them danced a Virginia reel, but the others could not dance anything but waltzes, and our young ladies did not waltz.

"Well, it was a grand affair for the times. The young people thought it magnificent. The music was two fiddles, played turn about by three negro men. One man got an iron pin and clevis, used at the end of a cart tongue or plough beam, and beat time with the fiddles. Another man beat a tin pan. . . . The young people danced to that music from three o'clock in the evening till next morning.

"Mother went home with her family before day. Everybody else stayed all night. We ate barbecued meat, all sorts of vegetables, coffee, fowls, potatoes, honey, and corn bread, but no cakes, as there was no flour in the country."

**A Vain Search for a Bible.** "Mother said she had been in Texas nearly a year and had not heard a sermon. One young man said he had never heard a sermon. Mother asked Mr. Woodruff to preach. He agreed, but did not have a Bible. Mother's Bible was lost when we were shipwrecked the year before. No one offered to go for a Bible. Mr. Travis said he would send mother one if he could find it in San Felipe. Mr. Woodruff prayed and exhorted the people to lead pure lives. Mrs. Stafford and mother sang the hymn, 'On Jordan's Stormy Banks I Stand and Cast a Wistful Eye.' The preacher sang, 'Come, Thou Fount of Every Blessing.' . . .

"Mr. Travis sent sister and me a Sunday school book. There had been a Sunday school in San Felipe, but it was closed by the Catholic priest, Father Muldoon. R. M. Williamson sent us side-combs. . . . Mr. Travis sent mother word that there was not a Bible for sale in San Felipe."

**A Private School.** "Father, while in Harrisburg, engaged a school teacher, a Mr. David Henson. . . .

"The next thing was a schoolhouse. There was a log house

halfway between the place where we lived and Mr. Dyer's. It had been used for a blacksmith's shop. The floor was made of heavy hewed logs, called puncheons, and there were no windows nor any shutter to the door. Father and Mr. Henson canvassed the neighborhood to make up the school. . . . Brother and I were the only children that could read and write.

"School commenced the first of June. We had a good teacher, but he was out of his proper place in Texas. There were but few schoolbooks among the people. The teacher made the multiplication table upon pasteboard. Mother gave her handbox for the purpose."

## BLACKBOARD ANALYSIS

ERA III. Colonization. 1819-1830.

## I. Moses Austin.

1. Resolves to settle in Texas.
2. Trip to San Antonio. (1820).
3. Reception and Harsh Treatment.
4. Baron de Bastrop aids him in Securing Grant of Land.
5. Death and Dying Request.

## II. Stephen F. Austin.

1. Early Life and Character.
2. Choice of Land.
3. Inducements offered Colonists.
4. Settlement made.
5. "The Lively."
6. Successful trip to Mexico.
7. Growth of Colony.
8. Later Contracts.

## III. De Witt's Colony.

1. Location.
2. James Kerr.
3. Gonzales.

## IV. De Leon's Colony.

1. Location.
2. Trouble with De Witt.

## V. Edwards's Colony.

1. Troubles—how caused.
2. Disputed Elections.
3. Edwards ordered to leave Texas.
4. Fredonian Rebellion. Results of Rebellion.

## VI. Texas as a Whole.

1. Empresario System.
2. Year of Immigration.
3. Texas and Coahuila.
4. Local Government.
5. Indian Troubles.
6. Character of Colonists.
7. Growth.



## ERA IV

### ERA OF REVOLUTION

(1830-1836)

[For footnotes see page 314]

**Mexico Distrusts the United States.**—The United States had sympathized with Mexico in her struggle to throw off Spanish rule, hence when the Republic was established Mexico felt kindly towards her Northern neighbors and, as we saw in the last era, welcomed them among her colonists. But the United States had never been satisfied to see Texas belong to Mexico. In 1825 President John Quincy Adams tried to gain a change in the treaty of 1819 enabling the United States to own at least a part of Texas; but he tried in vain. In 1827 we offered a million dollars for the country extending to the Rio Grande and half a million for the territory between the Sabine and the Colorado: Mexico would not listen to either proposal. Still the United States persisted in making offers, all of which Mexico persisted in refusing.

· Becoming suspicious — and she had a right so to be — Mexico reasoned thus: “Our neighbor Republic must have some important plan to carry out and Texas must be needed to accomplish this plan. We must watch closely, for we know only too well the Anglo-Saxon greed for territory. We have generously granted land to these people from the North: they have made their homes with us, but their hearts are with their native

country; we are continually in the midst of revolutions, we realize our weak condition and they realize it also. They may conspire with the United States to take Texas from us. But, from this time, we shall be on our guard."

**Mexico a Republic in Name Only.**—Mexico gained her independence from Spain in 1821. She became a republic, and in 1824 adopted a Constitution somewhat like ours. Her people, however, were not free. They did not know how to govern themselves. They were not to blame for this, because they had never had an opportunity to learn or to practice self-government. Their Presidents were for the most part selfish schemers, who cared only for wealth and power. At the beginning of this era Bustamente was President, but in 1832 Santa Anna led a revolution against him. From 1833 Santa Anna was the real power in Mexico; with him Texas had to deal.

**General Causes of Texas Revolution.**—With the Mexicans and American colonists full of distrust for each other, trouble was sure to come. While the revolution is said to have begun in 1835, wise men saw the clouds gathering years before. Most briefly stated, the general causes of the revolution were:

1. The Mexican Law of 1830, making it almost impossible for other Americans to come to Texas.
2. Order to settle Mexican convicts in Texas.
3. Forcing Texas to be joined to the Mexican state; Coahuila.
4. Collecting duty on all goods not bought in Mexico.
5. Placing groups of Mexican soldiers to watch the Texans.
6. Lack of sympathy between Texans and Mexicans.

[NOTE TO TEACHERS.—The author suggests that very young pupils or those classes pressed for time omit or simply read from page 95 to topic marked "Review," page 111.]

## DISCUSSION OF "GENERAL CAUSES OF TEXAS REVOLUTION"

(1) **Decree of 1830**—Lucas Alaman, a member of Bustamente's Cabinet, suggested a plan for making stronger the Mexican hold on Texas. As a result of this plan, the famous law of 1830 was passed April 6th.

a. It forbade colonists from countries touching Mexico settling in Texas anywhere near their own border; it also ordered the establishment of Mexican colonies.

b. It suspended all land contracts for colonies not already established.

c. It prevented any foreigner entering Texas from the North unless he had a passport from a Mexican consular agent in his own country.

d. It permitted Texans to hold the slaves they had in 1830, but prohibited more slaves being brought in.

While this decree seemed to apply to every nation, yet in reality it was aimed at the United States. Other nations were welcomed, but for the United States, whose inhabitants had changed Texas from a wilderness into a civilized state, Mexico had nothing but suspicion. As the colonists had friends and relatives in the United States who wished to join them, and as many of these had sold their old homes and were even at that very time on their way to Texas, the news of the decree spread gloom over all sections of the province. It must not be forgotten that the Fredonian Rebellion had done much to alarm the Mexicans and bring about this decree.

(2) **Settlement of Convicts**.—Laws were passed by the Mexican Congress relative to settling in Texas colonies of convicts and deserters. Nothing would have destroyed more quickly and more certainly the prosperity of the province.

(3) **Union with Coahuila** (cō-a-weé'-la). - It was shown in the last era that Texas was not a separate state

of the Mexican Republic, but had been joined to Coahuila. The Texans were promised that this union should last only till their state grew strong enough to justify a separate government. The colonists claimed that time had now come. Mexico heeded not their claim, fearing separation from Coahuila would be a first step toward independence.

(4) **Taxes and Customs Houses.**—To induce foreigners to settle in Texas, Mexico had promised that for a term of years they should be free from taxation, and should have the privilege of importing without duty all supplies really needed for their own use. This time had now expired; taxes were levied and custom houses established. Had this been all, the colonists would have had no cause to complain, for the taxes in themselves were not unreasonable, but we shall see that Mexico made the collection of taxes and duties disagreeable and humiliating. The colonists were not free from blame in this matter. Not content with the liberal allowance made them by the early colonization laws, some of the Americans had made a practice of smuggling luxuries and articles for sale.

(5) **Military Occupation.**—To collect these taxes and to see that the laws were obeyed, bodies of Mexican troops under General Terán were sent into Texas. Some twelve military posts were established.<sup>2</sup> These soldiers were to be supported from the taxes and duties paid by the people. The colonists felt that there was no need of a military force to collect taxes, and that the expense of keeping up such a body of men was unnecessary. To make matters worse, some of the soldiers sent into Texas were convicts and desperadoes whose insolent behavior was often unendurable. On the slightest pretext the Mexican officers declared the country under martial law.

Innocent men were arrested and imprisoned without knowing the crime with which they were charged.

(6) **No Sympathy Between Races.**—The strongest cause in bringing on the Texas Revolution, however, was the entire lack of sympathy between the Mexican people and the Anglo-Saxon colonists. They could not understand our methods of government and we could not endure their idea of a republic.

**Captain Bradburn Makes Trouble.**—No one at this date did more to stir up bitter feelings between the colonists and the Mexicans than Captain John Davis Bradburn, a Kentuckian by birth, who had gone to Mexico with Mina and remained in the service of the Mexican government. General Terán placed him in charge of Anahuac (ä-nä-wäk'), a port on Galveston Bay, through which Austin's colony obtained some of their supplies. In 1831, Letona was elected governor of Coahuila and Texas. Letona, relying upon the state colonization law of 1825, ordered that land titles be granted to colonists already in Texas before 1830. According to the governor's instructions, the town of Liberty near Anahuac was established and a regular colony organized. This displeased General Terán; he, declaring that the decree of April 6, 1830 was being disobeyed, ordered Bradburn to arrest and imprison the two officers (Madero and Carbajal) sent out by Governor Letona as commissioner and surveyor. Bradburn seemed to take pleasure in carrying out Terán's commands; he also abolished the town government established at Liberty and took upon himself the right to distribute lands; he paid no attention to the civil authorities and treated the people with contempt.

**Blockade.**—When the colonists complained, Bradburn commanded all the ports except Anahuac to be closed.

This harbor was so situated that only small vessels could enter; hence Bradburn's order really amounted to a blockade.

**Texans Protest.**—Determined that they would submit to no such tyranny,



Branch T. Archer

to no such tyranny, the Texans met (Dec., 1831), at Brazoria, to discuss public affairs. After mature deliberation, Dr. Branch T. Archer<sup>3</sup> and George B. McKinstry were sent to ask Bradburn to revoke his order and to open the ports. Bradburn replied that he must have time to lay the matter before Terán, his superior officer. But when he was

told the colonists would brook no delay, he was afraid to refuse and Brazoria was opened.

**Arrest of Travis and Others.**—Bradburn, however, learned no lesson from this episode. He declared (May, 1832) the ten leagues of coast land formerly reserved for government use to be under martial law. Hardly had the people realized this new offense when he arrested several colonists (among whom was William B. Travis), imprisoned them in the fort, and treated them as common criminals. The Texans demanded the release of their comrades, saying: "If these men have committed crimes they should be tried by civil and not by military law." Bradburn refused to release the prisoners.

**Troubles at Anahuac.**—Indignation among the col-

onists rose high. Settlers on the Trinity and others from Austin's colony under the command of F. W. Johnson, took up arms and hastened to Anahuac, determined to rescue their friends. They were joined by John Austin,<sup>4</sup> the brave alcalde of Brazoria, and a small but courageous body of men. Having captured some of Bradburn's soldiers, the colonists again demanded the release of the prisoners. Bradburn would not yield, but finally saved himself from battle by promising to exchange the colonists for his soldiers held captive by the Americans, provided the Americans would first retire six miles. His proposition was accepted and his men were promptly returned, but, to the amazement of the colonists, he refused to give up his prisoners. The colonists were filled with indignation, yet, knowing it would be impossible to capture Anahuac without cannon, they decided not to attack the fort but to remain at Turtle Bayou until artillery could be brought from Brazoria.

**Turtle Bayou Resolutions.**—The Americans knew Mexico would be angry at their trouble with Bradburn. To prevent an army being quartered upon them, they drew up Resolutions at Turtle Bayou. (June 13, 1832.) These Resolutions complained of their treatment, but stated they were loyal to Mexico. As Santa Anna was then leading a revolution, and as the colonists felt sure he would succeed, they denounced Bustamente, but declared they would give their lives and their fortunes, if necessary, to support the Mexican Constitution of 1824 and "the patriot, Santa Anna."<sup>5</sup>

**Piedras Quiets Affairs.**—About this time by order of General Terán, Colonel Piedras (pē-a'-dräs) of Nacogdoches came to Anahuac. On hearing both sides of the trouble, he turned over the American prisoners to the



civil officers, who declared them innocent and set them free. Bradburn was removed from office, and the colonists hastened home to lay down the sword and to take up the plow.

**Capture of Velasco.**—(June 27, 1832). Going back a little, we find John Austin in command of the men sent to Brazoria for cannon. They reached Brazoria, obtained the cannon, and took them down the Brazos, but Ugartechea (oo-gär tã-ché'-a), the Mexican officer in command at Velasco, refused to allow the schooner bearing the cannon to pass his fort. By no means discouraged, the Americans decided to capture Velasco and then hasten on to Anahuac. Marching down the east bank of the Brazos, Austin, with perhaps one hundred and twelve men, halted for a few days and offered to treat with Ugartechea; this offer being refused, Austin prepared for battle. During the night the schooner containing the cannon dropped down the river to a point near the fort; a barricade of cotton bales protected the keen-eyed marksmen who, under Captain William Russel, were to do valiant service. Austin and his assistant, Captain Henry S. Brown, marched their troops in two separate divisions to positions near the fort, Brown's men being shielded by a mass of drift logs, while in the darkness Austin's men quickly erected for their shelter a palisade. When morning came the guns in the fort opened fire, and bravely was the fire returned. The cannon of the fort was so mounted that in firing upon the foe the heads of the Mexicans were exposed, hence the shots of the Americans did awful execution. The palisade proving worthless, Austin's men rushed for protection to the sides of the fort and made for themselves pits in the sand, but all this time the guns never ceased. The schooner poured out a constant volley. The Mexicans tried to shoot

without exposing their heads by raising their hands over the battlement, but shattered wrists, bleeding arms, and mangled hands still bore evidence to the unerring marksmanship of the Americans. Ugartechea fought bravely; when his men shrank from firing the cannon, he himself took the gunners' places, and so much did the colonists admire his action that not one shot was directed his way. After several hours' conflict, the Mexican loss being heavy, Ugartechea surrendered with the honors of war. The colonists so appreciated the bravery of the Mexicans that they gave them provisions for their march to Matamoras and cared for their wounded. After the battle Austin and his men, learning that matters at Anahuac had been peacefully settled, gladly returned home.

**Colonel Mejía's Visit.**—Led by alarming news of rebellion in Texas, Colonel José Antonio Mejía (mā-hē'-a) came (July, 1832) from Mexico with a strong force to investigate conditions. At this time Stephen F. Austin was in attendance upon the Congress of Coahuila and Texas, of which body he was a member. Congress adjourning to meet again in the fall, Austin decided to visit the commander-in-chief of the Eastern Internal Provinces, who was then in Tamaulipas (tä-maw-lē'-pas). When he reached Victoria (the capital of Tamaulipas) he heard of the disturbances in Texas and that Colonel Mejía had started to the mouth of the Brazos River. Led by a sense of duty to his people, Austin changed his plans and started for Matamoras, where he joined Colonel Mejía and accompanied him to Texas. The Mexican commander learned from Austin much in favor of the American colonists; on visiting Brazoria, San Felipe, and other settlements, Mejía was heartily welcomed, and was fully convinced that the Texans were true to the Mexican Constitution and especially devoted

to the cause of Santa Anna. Mejía himself was firmly attached to Santa Anna's party. Feeling that all was safe in Texas, he soon returned to Mexico, taking with him many of the Mexican troops who had declared for Santa Anna.

**Piedras Forced Out.**—So great had been the influence of Mejía throughout Texas that Piedras of Nacogdoches was the only Mexican officer left in the State who was opposed to Santa Anna. The colonists decided to force Piedras to declare for Santa Anna or to retire into Mexico: a small force stated their terms and asked him to yield. He refused, though his under-officers wished him to go over to the Santa Anna cause. The Texans then attacked the Mexicans, forced them to retreat toward Angelina River and closely pursued them. Piedras, seeing that there was no hope for him to succeed, resigned his command to the second officer, who at once shouted amid the cheers of the soldiers, "Long live Santa Anna!" and surrendered to the colonists. The Texans allowed Piedras to return to Mexico. So numerous were the calls for troops in Mexico that by the close of August few soldiers were left in Texas.

**The Course of Santa Anna.**<sup>6</sup>—To understand clearly what follows it is necessary to note with care the course of Santa Anna who was at this time the idol of the Mexican people. As has already been stated, in January, 1832, Santa Anna pronounced against Bustamante and declared in favor of the Constitution of 1824. As usual a revolution ensued, Bustamante striving to maintain his power, Santa Anna doing all he could to overthrow Bustamante. Santa Anna played the part of patriot to perfection; he took up the cause of the common people, loudly publishing his determination to give even his life, if need be, to maintain the republic and to bring

freedom to all classes. The colonists in Texas were delighted at the position taken by Santa Anna; they thought him sincere, and pledged to him their hearty support, as we have seen from the "Turtle Bayou Resolutions."

**Santa Anna and Bustamante Compromise.**—Bustamante, having suffered many reverses, and especially feeling the loss of Terán (who had committed suicide), late in 1832 offered to come to terms with Santa Anna. The two generals agreed to compromise matters by placing in the president's chair Pedraza, who had been elected president in 1828; accordingly in December Pedraza was installed. His term was to last only till April 1833 and he and all his officers were made to take an oath to support the Constitution of 1824. This action on the part of Santa Anna surprised many of his friends, who did not see how he could on such terms make peace with the tyrant Bustamante, or how he, the champion of liberty, could call back to office such an aristocrat as Pedraza. In reply to these murmurs, Santa Anna answered that he had acted for the best, that Mexico needed peace, and that time would bring all things right.

#### FIRST CONVENTION AT SAN FELIPE DE AUSTIN

**How the Colonists Reasoned.**—After Piedras left Texas the time seemed favorable to the colonists for asking certain favors. They thought: "Santa Anna is now the leading spirit of the Mexican government. We have shown again and again that we are his friends and supporters; Mejía has promised to make a favorable report concerning us; we have forced Piedras, the friend of Bustamante, to leave the State; since these things are true we may reasonably expect kindness from the hands of Santa Anna. Matters are so unsettled that

we must come to some understanding with Mexico regarding our future.”

**The Convention Meets.**—A call to the people of Texas was sent out bidding them to meet in convention at San Felipe October 1, 1832 to discuss matters of public interest. Over fifty delegates selected from the different districts, Béxar being the only important one not represented, met in the first convention chosen by the people ever held on Texas soil. Stephen F. Austin was elected president, and F. W. Johnson, secretary.

**Work of Convention.**—For six days the delegates worked diligently. The most important results of their labors were:

(1) A memorial (written by William H. Wharton) <sup>7</sup> to the Mexican Government asking for the repeal of Article XI of the law forbidding inhabitants of the United States to settle in Texas, and denying that the colonists had any desire for independence from Mexico.

(2) The recommendation to the Mexican Government that Texas and Coahuila be separated into two distinct States.

(3) The petition that for three years such articles as were absolutely necessary to the colonists might be brought into Texas free of duty.<sup>8</sup>

(4) A Central Committee was appointed with headquarters at San Felipe (F. W. Johnson, Chairman; Dr. James B. Miller, Secretary), whose duty it was to keep the colonists informed on public matters and, if necessary, to call another convention.

(5) Sub-committees were ordered to be elected throughout Texas; it was their duty to collect and make public all important news, to correspond with the Central Committee, to aid in carrying into effect all orders of the

Central Committee and to strengthen the bond of union among the colonies.

(6) It was decided that all men between the ages of sixteen and fifty capable of bearing arms should be enrolled and organized into companies.

**Mexican Opposition to Conventions.**—The Mexican officials seemed to look upon the convention as treasonable, claiming that all such meetings were sure to lead to revolution; some of them advised Austin to take no part in the matter, but he answered: "Texas is lost if she does nothing for herself. I must follow the dictates of my conscience."<sup>9</sup> Even Santa Anna, who had received such hearty support from the colonists, said he felt that Texas aimed at nothing less than independence.<sup>10</sup> He advised that General Filisola be sent into Texas with a large force of soldiers.

## SECOND CONVENTION AT SAN FELIPE DE AUSTIN

The colonists finding that no attention was paid to their petitions, grew more bitter in their feelings towards Mexico. In January, 1833, Santa Anna was elected President. The Texans decided to make their appeals directly to the new authorities. April 1, 1833, the delegates elected to a second convention met at San Felipe; William H. Wharton was made president, and Thomas Hastings, secretary.<sup>11</sup> Among the delegates to the Convention were men whose names were soon to be written upon the hearts of their countrymen, such as Stephen F. Austin, Sam Houston and David G. Burnet.<sup>12</sup>

**The Memorial.**—Besides several less important requests, the Convention asked for the repeal of Art. XI. of the decree of 1830 and for the creation of Texas as a



separate state in the Mexican Republic. A committee, with David G. Burnet as chairman, prepared a memorial to the Mexican government, showing why Texas should be separated from Coahuila. The following reasons were given: 1. Coahuila and Texas differed in soil, climate, productions, interests, and population; hence laws suitable for one would be injurious to the other. 2. The wilderness between the two States kept Texas from receiving prompt aid from the troops who were stationed at the capital of Coahuila; if Texas were a separate State, she could have her own troops. 3. The laws that governed Texas were in a foreign language. 4. The courts and officers were six hundred miles distant; hence months and sometimes years passed before a trial could be obtained.

**A Constitution For Texas.**—The most important work done by the Convention was the adoption of a State Constitution. Sam Houston, who had only a few months before come to Texas and settled in Nacogdoches, was the chairman of the committee that drew up the Constitution for Texas as one of the states of the Mexican Republic. This document granted trial by jury, writs of habeas corpus, freedom of the press, the right to petition, and direct suffrage. In many respects it resembled the Constitutions of Tennessee and Missouri. It was to be submitted to the Mexican government for approval.

**Commissioners.**—Stephen F. Austin, W. H. Wharton, and J. B. Miller<sup>13</sup> were appointed to present the memorial to the National Congress of Mexico and press the claims of Texas. Austin alone went, paying all his own expenses. He felt that the colonists were unwise in pressing their claims just at this time, but when they decided so to do, he was great enough to lay aside all



personal feelings and make any sacrifice to serve his people.

**Political Parties in Mexico.**— There were in Mexico two political parties; the Republicans favored such a government as ours, where the president has limited powers, where the states have certain rights with which congress cannot interfere; the Centralists believed in what they called a “strong government,” where the president and congress possessed almost absolute authority.

**Santa Anna's Plans.**— Santa Anna had been elected president by the Republican party, but no sooner was he installed in office that he began secretly to plot to make himself supreme ruler. He left the capital, thus throwing the management of affairs upon the vice-president, Manuel Gomez Farías (fa-rē'-as) a Republican. Farías was not slow to introduce reforms that both he and Santa Anna had promised the people, reforms that the President knew would arouse bitter opposition in the church and army. The result was just what Santa Anna expected; Farias became an object of hatred to the church and to the soldiers, but he, the President, was exempt from all blame. In May (1833) Santa Anna returned to the City of Mexico and resumed his office. After a few weeks General Duran (who was probably a mere tool of Santa Anna) raised a *grito* and then *pronounced* for a central government, demanding that the President come to their aid and thus save the church and the army from ruin. Santa Anna acted his part well; he pretended to be angry at the “outrageous insolence” of Duran and his soldiers; he led an army against Duran, but, he appointed, strange to say, as his second officer General Arista who was an open supporter of the Central party. While on the march Arista declared himself in favor of all Duran's plans, and was

supported by the soldiers. Santa Anna was made prisoner by his own men, who at the same time published to the nation that he and he alone must be made, not president, but dictator of Mexico. Santa Anna was only too willing to remain a prisoner, for he felt sure the army in the City of Mexico would also declare him dictator and raise a revolution in his favor.

**Fariás Prevents Dictatorship.**—He had, however, not properly estimated the strength of Farías, who, like the stern Romans of old, determined to do his duty even if he perished in the attempt. Suspecting the treachery of the President, Farías, aided by De Zavala, raised a strong army of special troops. When the soldiers in the city proclaimed Santa Anna dictator, Farías declared them rebels against the Constitution, which forbade the existence of such an office as dictator, and quickly subdued them. On learning this Santa Anna changed his tactics; he escaped from Arista, and hurried to the capital, took the reins of government, vowed his devotion to liberty, conquered the rebels (October 8), and did *not* punish them severely. In December, on the plea of ill health, he again turned over the government to Farías, and retired to his country seat, where he secretly carried out his schemes.

**Austin in Mexico.**—From the preceding topics it will be clearly seen that when Austin reached the Mexican capital (June or early in July, 1833), he found the city in the greatest confusion. He stated his cause, but was told that Vice-President Farias and his counselors had more important subjects to consider; Texas must bide her time. To add horror to Austin's gloom, Asiatic cholera broke out and swept into the grave thousands of the city's inhabitants. In spite of disease, discouragement, and failure, Austin heroically remained at his post.

Through the assistance of that warm-hearted patriot, Lorenzo De Zavala,<sup>14</sup> he secured the promise of the repeal of Article XI. of the famous edict but for the other requests of his people he could gain nothing. In his interview with Farías, Austin showed in strong terms that if Mexico did not permit Texas a state government separate from Coahuila, it was probable that Texas would take the matter into her own hands. Such language displeased Farías, and bore for Austin bitter fruit.

#### **Austin Imprisoned.—**

Worn out by waiting (Oct. 2, 1833), Austin wrote the city authorities at San Antonio, advising that the Texans should peacefully, and with all due respect to the Mexican law, make preparations for a distinct state government. In December, he started home. About this time his letter,



Lorenzo De Zavala

which was deemed treasonable by the San Antonio officials, was sent to Vice-President Farías. Remembering the independent spirit Austin had shown in their interviews, Farías, angered by the contents of the letter, ordered the arrest of Austin at Saltillo. February 13, 1834, the great empresario was brought back to Mexico as a traitor, and lodged in the prison of the Old Inquisition, where for three months he was, during much of the time, deprived of writing-materials, books, communication with

friends, and even the light of day. He was then removed to a larger prison, and allowed more liberty.<sup>15</sup> He asked again and again for a trial, but in vain.

**Santa Anna and Austin.**—In the spring of 1834 Santa Anna resumed his duties as president. Some time later he called a council to consider public matters in Texas. This council was composed of De Zavala, Austin, who was still a prisoner, three members of the Congress of Coahuila and Texas and seven Mexican state officials. With earnest eloquence, Austin, aided by De Zavala, pleaded for his people; especially did he urge upon Santa Anna the necessity for separating Texas from Coahuila, but in this point he was bitterly opposed by the three Congressmen. After listening to all that was said, Santa Anna announced as his decision that he would approve the repeal of Article XI. of the edict of 1830, that a regular mail-system should be established in Texas, and that four thousand troops should be stationed at Bexar for the protection of the country. Here Austin assured the President that Texas had no need for these Mexican troops; that, if Mexico would only permit, Texas would pay her taxes and duties and guard her frontier without cost to the central government. Santa Anna overruled his suggestion by saying the troops were needed and must go; he also added that as Texas did not possess the required population or the necessary strength she could not be made a separate State. Austin was still kept a prisoner, though he was granted bail: no trial was given him. In spite of this injustice, Austin, ever ready to look for good in others, still had faith in Santa Anna. He wrote his people: "All is going well. The President, General Santa Anna, has solemnly and publicly declared that he will sustain the federal

representative system, as it now exists, and he will be sustained by all parties."

**Review.**—It may be well, before going further, briefly to review events up to 1834. Bradburn, an officer in the



*Ant. Lopez a  
Santa Anna*

Mexican Army, closed all Texas ports except one. He imprisoned, without trial, some colonists. The Texans attacked him at Anahuac. While waiting for cannon

they adopted Resolutions showing they were loyal to Mexico and friendly to Santa Anna, who was leading a revolution. Bradburn was removed. In the meantime, the men who had gone to Brazoria for cannon had trouble with the Mexicans and won the battle of Velasco.

Colonel Mejia visited Texas and took back a favorable account. Troops were recalled to Mexico. The close of 1832 saw the Texans left nearly to themselves. They held two conventions at San Felipe, asking especially that part of the Decree of 1830 be repealed and that Texas be separated from Coahuila. Stephen F. Austin was sent to Mexico to press these claims. The Decree was altered, but Texas was forced to remain a part of Coahuila. Austin was imprisoned (February, 1834) as a traitor. All this time the feeling between the Texans and Mexicans became more bitter. Mexico did not intend to be cruel and unjust. She was doing only what seemed to her to be necessary to retain Texas, but, in fact, she was driving Texas straight into revolution.

**Santa Anna, the Dictator.**—The capital of Coahuila was moved from Saltillo to Monclova; this caused a revolution and the Texans, who looked on in disgust, longed more than ever to be free from Coahuila, but finally Santa Anna decided that the capital should remain at Monclova and forced the people to yield. In April, 1834, Santa Anna made himself virtually the absolute ruler of Mexico; the Constitution of 1824 was a thing of the past. Under his orders the State governments were abolished and all Mexico, with the exception of Zacatecas, Coahuila and Texas, without a struggle, lay at the Dictator's mercy. Knowing that Texas was settled by a superior class of men, and wishing to have them on his side, he called the Council mentioned above. It is supposed that he held Austin as a hostage for the good behavior of the Texans.



## IMMEDIATE CAUSE OF TEXAS REVOLUTION

**Santa Anna's Plans.**—During the latter part of 1834 Santa Anna learned that Texas would not submit to his absolute rule. He decided to send a strong force of soldiers to Texas and also to show no mercy to the leaders of rebellion. His first attempt to carry out these plans proved to be the spark that was needed to set ablaze the smoldering fires of the Texas Revolution.

## THE YEAR 1835

**A Gloomy Outlook.**—Dark indeed was the outlook for Texas during the year of 1835. When the State governments were abolished, Texas fell under military rule. The order was issued to reduce the militia of each State to only one man for every five hundred inhabitants. The fate of Zacatecas warned Texas what she, at no distant day, might expect unless she yielded to the tyrannies of Santa Anna. Zacatecas, one of the richest mining States in Mexico, was noted for its liberty-loving people; when these people refused to receive a dictator, and opposed the destruction of the Constitution of 1824, Santa Anna marched against and defeated them (May 10, 1835), with terrible slaughter; the cruel soldiers inflicted untold suffering upon the helpless populace.

**Committees of Safety.**—During the spring and summer the colonists held meetings and appointed committees of safety, that were to take charge of public matters and keep the different sections of the State informed as to the course of Mexico. They made arrangements for a general consultation of delegates.

**War and Peace Parties.**—There had been since 1832 two distinct parties among the colonists:—the war party of which William B. Travis and William H. Wharton



were leaders, wanted Texas to declare her independence and take up arms; the peace party, of which Austin had been the leading spirit, advised patience and forbearance. We have seen how the peace party ruled in the first convention at San Felipe, when Austin was made President, but by April, 1833, the war party had grown strong enough to defeat Austin and to elect Wharton President of the second convention.

#### MILITARY CAMPAIGN OF 1835

**Troubles at Anahuac.**—When the year opened there were one company of Mexican soldiers at Goliad and two at San Antonio. In January soldiers were ordered to Anahuac, and it was rumored that more were to follow. Some of the colonists, claiming that the taxes collected at Anahuac (ä-nä-wäk') were unjust, and the behavior of the garrison insolent, mustered a force of men under the command of Captain William B. Travis, and drove out the Mexicans. The Texans themselves were divided as to the wisdom of this act, for they knew every circumstance would be reported promptly to Santa Anna's officers, thus increasing the prejudice already felt toward the Americans.

**Order for Arrest of Texans.**—Lorenzo De Zavala, on finding that Santa Anna was false to his promises to sustain the liberties of the Republic of Mexico, left the services of the government and retired to his lands on the San Jacinto River. Orders soon came for the arrest of De Zavala, Travis and other Texans. That the dictator Santa Anna and his subordinates believed De Zavala and the Texans would be surrendered shows clearly they had yet much to learn of the colonists who, descended from Puritan and Cavalier, had been taught as a first lesson of

manhood to be true to a friend in need. The officials were told that the persons they were seeking had left for the United States, and could not be taken to Mexico for military trial, as ordered.

**Austin's Return.**—On August 31, Austin, having been released from his long imprisonment, returned home after an absence of two years.<sup>16</sup> His reception was such as to have touched the coldest heart. Old friends gathered about him; tears and sobs mingled with smiles of welcome. Austin was deeply moved. At Brazoria one thousand people gathered September 8 to welcome him. All turned to him for advice. He approved the committees of safety and the plan for a general consultation.<sup>17</sup>

**Troops Sent Into Texas.**—Santa Anna ordered to San Antonio a large force of soldiers under his brother-in-law, General Cos [Cõss]. It was rumored: "General Cos, with his troops, intends to overrun Texas, to establish custom-houses, and detachments of his army where he thinks proper, to disarm the people, to drive out all Americans who have come to Texas since 1830, and to punish those who have insulted the supreme government of Mexico and refused obedience to its laws." The colonists at last saw Santa Anna in his true light. Both war and peace parties united to urge the Texans to collect arms and ammunition and prepare for the struggle that might come.

**Skirmish at Gonzales.**—There was at Gonzales a small brass cannon that had been given the Texans some years before to protect the town from the Indians. The Mexican commander at Béxar, Ugartechea, sent a message demanding its surrender. The Texans refused. A Mexican officer was ordered to advance with about one hundred men against Gonzales. He was to command the alcalde to give up the cannon; if the alcalde did not obey, force was to be used. When the Mexicans reached

the banks of the Guadalupe, just opposite the town, they found that the ferry-boat had been taken to the other side. To cross was dangerous, for a company of armed Texans under Captain Albert Martin was keeping guard over the ferry; hence the Mexicans encamped a short distance from the ferry. As the colonists had only a small squad of men at Gonzales when the messenger came to the alcalde demanding the cannon, the Texans asked for time to consider the matter. This was September 29. Couriers were sent through the country to give the alarm. As in 1775 the brave minute-men left their plows, seized their muskets and hastened to Lexington, so now the colonists hurried to Gonzales. After a force of perhaps one hundred and sixty-eight men had assembled (John M. Moore being the commander), the Texans sent word that they would not give up the cannon. The enemy had moved some miles away and remained in camp.<sup>18</sup> On October 2 the Texans attacked and utterly routed the Mexicans. No sooner had the little brass cannon roared than the Mexicans fled towards Béxar. Our men were left in possession of the field. Not a Texan was injured, while the Mexicans lost several killed and wounded.

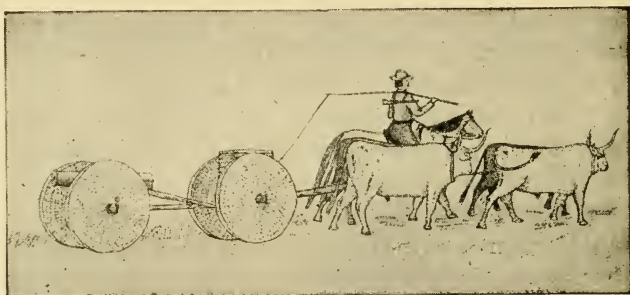
**Effects of the Victory.**—The whole country was aroused. Even those men who up to this time showed little interest in public affairs awoke to the importance of decided action, for all parties now realized that war was inevitable. Houston was made commander of all forces to be raised in Eastern Texas. Austin was unanimously elected commander-in-chief of the volunteer troops assembled at Gonzales. De Zavala came from his secluded retreat to offer aid to the patriot cause. Austin issued a ringing appeal for volunteers, to which men from the highest and from the humblest walks of

life responded. There was many a Putnam who left his plow in the furrow, snatched his gun, and with a hurried "God keep you" to wife and children rushed away to obey his country's call. An appeal for aid was made to the United States.

**Capture of Goliad.**—Encouraged by the victory at Gonzales, a small company of planters (about forty-seven in number), with George M. Collinsworth as leader, determined to capture Goliad. They arrived near the town (October 8th or 9th) and sent out scouts, who as they were passing a dense thicket were startled by a voice asking, "Who are you?" On replying they were Texans, to their joyful surprise they saw Colonel Benjamin R. Milam emerging from the bushes. He hurriedly told them of his escape from the Mexican prison at Monterey,<sup>19</sup> of his perilous journey back to Texas, and then asked that he be allowed to join their ranks and assist in the attack upon Goliad. The Texans surprised the small Mexican garrison, and after a short struggle captured the soldiers, a generous supply of firearms and \$10,000 in money and supplies.

**Battle of Concepción.**—General Cos had now reached Béxar with four or five hundred reinforcements. Having determined to take San Antonio from the Mexicans, Austin marched with his little army of volunteers from Gonzales to Salado Creek, and then sent forward Colonel James Bowie and Captain J. W. Fannin with about ninety-two men to find a place for encamping still nearer the city. The officers decided on the Mission Concepción, and at a bend in the river, some distance from the Mission, the Texans halted for the night. A strong guard was placed and our men lay down to rest with their arms at their sides. Soon after daybreak (Oct. 28), the Texans were aroused by rapid firing. Every man sprang

to his feet, grasped his rifle, and peered through the fog that hung heavily around him to see the position of the enemy. As soon as it grew lighter, the Texans saw they were surrounded by the Mexicans. The infantry and cavalry of the enemy advanced; at the order they poured forth a volley of balls. The Texans fired more slowly but each one picked his man so surely that the Mexicans fell rapidly. The Mexican commander ordered a cannon to be turned upon the "rebels." No sooner did a gunner approach to fire it than a bullet



A Cannon of the Revolution

aimed by some steady-handed Texan pierced his brain. The Mexican cavalry charged, but the colonists repelled them. Wildly jubilant the Texans now cried: "The cannon! The cannon!" and rushed forward to take it. The enemy fled before their attack; the cannon was captured and turned upon the Mexicans; the field was left to the Texans. Thus, in an actual engagement of only thirty minutes, less than one hundred Texan farmers conquered four hundred Mexican soldiers. The former had only their guns and pistols, while the latter had everything in the way of arms, besides the cannon; but the

former were freemen fighting for their liberty, while the latter were servants obeying a Dictator.

**Results.**—Bowie claimed the Mexican loss was heavy in both killed and wounded. The Texans had one killed, the gallant Richard Andrews, and one wounded.<sup>20</sup> In their report to Commander-in-Chief Austin, who came up with the main body of volunteers soon after the battle was won, Bowie and Fannin said: "Had it been possible to communicate with you and bring you up earlier, Béxar would have been ours before 12 o'clock." The victory won in this, the first regular battle of the revolution, greatly encouraged the Texans, and made them feel that God was with their cause.



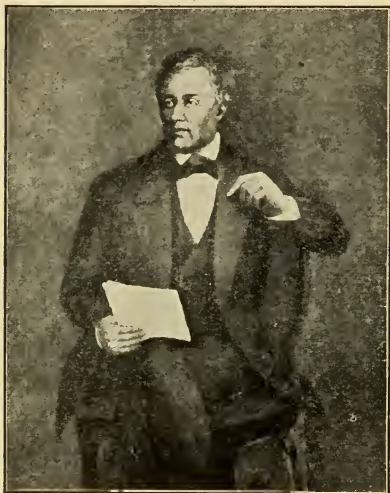
*Henry Smith*

**The Texas Army.**—As soon as General Austin joined Bowie and Fannin, he wished to press on and attack San Antonio, thinking the confusion of the Mexicans defeated at Concepción would make victory sure for the Texans. A council of war decided against Austin's plan but agreed to besiege San Antonio. Austin then devoted his time to organizing and training the army, which the student must never forget was made up of men who knew little of military discipline. Volunteers came in every day. Deaf Smith,



who was to do such famous service as a scout, joined the ranks. New Orleans sent two companies of gallant young men, called "The Grays."<sup>21</sup> Nearly a month passed by with the army inactive.

**Edward Burleson in Command.**—Austin was chosen commissioner to the United States, Edward Burleson<sup>22</sup> was (November 24) elected by the troops about San Antonio to take command.



Edward Burleson

Now Burleson knew that General Cos had a strong force in San Antonio, and that the town was well fortified. He hesitated, therefore, to risk an attack and the siege was continued. The most trying part of any campaign is waiting for action.<sup>23, 24</sup> Even to trained soldiers it is wearying; to these farmers, who had wives and chil-

dren depending upon them, it was doubly so. Cold weather was coming on, and many were forced to return to their homes. Others threatened to leave; a spirit of unrest, discord, and dissatisfaction filled the camp.

**Ben Milam's Plan.**—About this time a deserter arrived in camp who told the Texans that the Mexican troops were dissatisfied, that the fortifications were not so strong as represented, and that General Cos was ignorant as to the real state of affairs in the Texas camp.



Burleson and Milam held a conference and decided that the latter should lead a volunteer party against the enemy. Ben Milam stepped to the center of the camp, waved his hat, gave a ringing "huzza," and shouted: "Who will go with old Ben Milam into San Antonio?" Cheer after cheer rose from the soldiers and about two hundred and fifty volunteered.

**The Storming of San Antonio.**—While it was still dark on the morning of December 5, the men stole silently to an old mill near by, where Milam was to give orders for the attack. All was soon arranged. At five o'clock, Colonel Neill led his division to storm the Alamo, as it seemed, but in reality this was only a ruse to give the force led by Milam and Colonel F. W. Johnson, a chance to enter the city unobserved. The Texans opened a lively fire upon the Alamo. The Mexicans were completely surprised, but the bugle-sound quickly brought them to arms. Neill, learning that Milam had succeeded in making his way into San Antonio, withdrew to join the other troops. The battle now raged; desperate bravery was shown on both sides. The Texans had to fight their way step by step. Now they gained a house, now only a room, but on they went, always advancing, always holding what they gained. Four days and five nights they struggled and still the town was not theirs. At last, through tremendous effort, they captured a priest's house that overlooked the public square. Here they were able to silence the cannon of the Mexicans. The victory was won!

**Milam's Death.**—The saddest of the misfortunes of the Texans was the death of brave Ben Milam. After three days, filled with daring deeds, he was killed December 7, while passing into the Veramendi House to give orders. On the spot, made sacred by his fall,

he was buried.<sup>25</sup> Colonel Johnson succeeded to his command.

**Surrender of Cos.**—During the first day of the attack, a red and black flag had floated from the Mexican quarters. This meant, "Death to every Texan." But on the morning of the 9th, General Cos was forced to raise the white flag. General Burleson entered the city, and by two o'clock that night had all the conditions of the surrender arranged.<sup>26</sup> They were as follows: 1. Cos and his officers were allowed to depart with their arms and private property, on the promise that they would never oppose the return of Mexico to a purely Republican form of government, and never take up arms against Texas. 2. All convict soldiers were to be taken entirely out of Texas. 3. Those Mexican troops who wished to leave the army, or remain in San Antonio, were to be permitted to do so. 4. All public property was to belong to the victors. The sick and wounded were given permission to remain, and food was furnished them.

**End of Campaign and Results.**—The Mexicans had more than one hundred and fifty killed and a large number wounded; the Texans had two killed and twenty-five or twenty-six wounded. Twenty-one pieces of artillery, five hundred muskets, and a large supply of army stores were taken by the Texans. When it is remembered that General Cos had at least four times as many soldiers as the Texas colonists, that he was well supplied with small arms and cannon, it is indeed wonderful that so small a band of Texans should have been able to wrest from him a town strongly fortified. The result most gladdening to the hearts of the Texans was the fact that the withdrawal of Cos left their country free from the Mexican soldiery. On December 15, Burleson, leaving at the Alamo a garrison under the command of Johnson, returned home.

**General Consultation.**—On November 3, a general consultation<sup>27</sup> was held at San Felipe.<sup>28</sup> A provisional government was formed. Henry Smith was elected governor, and J. W. Robinson was elected lieutenant-governor. A council was thereupon appointed to help the governor in all public matters. Plans were speedily laid for raising an army. Sam Houston was created Major-General of all the armies of Texas. Branch T. Archer, William H. Wharton, and Stephen F. Austin were chosen to present an appeal for aid to the United States.

**No Declaration of Independence.**—While some members of the Consultation wished to cut loose from Mexico at once and declare Texas independent, others saw this would be a mistake. Texas needed the sympathy and assistance of the outside world. She could most surely gain these by showing that she was only striving for justice. The Consultation voted fifteen for independence, thirty-three for the support of the Mexican Constitution of 1824.

**The Governor and the Council.**—Governor Smith and the council had a difficult task in raising money to sustain the army and the government. The citizens of Texas had done all in their power, private parties in the United States had given liberally, yet such contributions were but drops compared with the ocean of expense that now deluged Texas. Archer, Austin, and Wharton were sent to the United States to obtain a loan. Arrangements were made to raise a regular army of one thousand one hundred and twenty men; there was to be one regiment of artillery and one of infantry. Each soldier who volunteered for two years was to receive, besides regular pay, six hundred and forty acres of land. Unfortunately Governor Smith and the Council

could not agree. The Council claimed powers that the Governor considered belonging to his department; neither would yield to the other. When Governor Smith vetoed a measure (and he several times thought it his duty so to do), the Council almost invariably thought it necessary to pass the bill over his veto.

The Council appointed officers against whom the Governor brought the gravest charges. The public men, the army, even the people, began to take up the quarrel, until it seemed that Texas would be destroyed by the strife of her own sons.

### THE YEAR 1836

#### **Quarrel between Governor Smith and the Council.—**

Early in January matters between the Governor and the Council came to a crisis. The Council wished to carry the war across the border; they hoped for aid from the Liberal party in Mexico, since they were fighting *not* for independence but for the Mexican Constitution. By sending an expedition against Matamoras, the Council hoped to capture the receipts of the custom-house at Matamoras and Tampico. They claimed this expedition would also check Santa Anna from invading Texas again.

The Governor had no confidence in the Mexicans, was opposed to the Matamoras expedition,<sup>29</sup> and favored fortifying San Antonio against Santa Anna.

[NOTE TO TEACHERS.—Young pupils may omit the next two topics.]

**The Matamoras Expedition.—**On December 30, 1835, Dr. Grant<sup>30</sup> had orders from Colonel Johnson, then in command at San Antonio, to secure volunteers and to march from Béxar to Goliad, the object being an attack upon Matamoras. Colonel Johnson then hastened

to San Felipe to report to the Council and the Governor what he had done and to make further arrangements. He left Colonel James C. Neill in command. On January 3, the Council, in spite of Governor Smith's objections, agreed to the expedition and put Colonel Johnson in command. On January 6, for some reason now unknown Johnson declined the position. Colonel Fannin was then appointed and hastened to issue a call for volunteers wishing the invasion of Mexico to gather at San Patricio January 24 to January 27.

All at once Colonel Johnson changed his mind, decided to lead the expedition, was authorized so to do by the Council and sent out a notice that the whole volunteer army of Texas would march from San Patricio between January 25 and January 30. Here were two commanders ordered to lead the same expedition! General Houston complained to the Governor that he was being ignored as Commander-in-chief of the army, so on January 8, Governor Smith ordered Houston also to lead his army to the West.

**Governor Smith's Letter.**—Colonel Neill reported to General Houston from San Antonio that Dr. Grant, after raising volunteers for the Matamoras expedition, had taken provisions, clothing and ammunition stored in the fort for the Texas army. This left only a scanty garrison to hold Béxar and this garrison lacked even the necessities of life. On January 6, Houston forwarded this news to the Governor. Then it was that Governor Smith lost all patience, and sent to the Council (January 9) a most scathing message,<sup>31</sup> rebuking them for allowing "such outrages" and declaring the Council adjourned till March 1. On January 11, the Council suspended Governor Smith from office and decreed that Lieutenant-Governor Robinson should act as governor. Smith re-



fused to retire from office; the Council failed to secure a quorum after January 18, and in this confusion public affairs remained till March, when the Convention met.

**Loan Secured.**—With rumors of coming invasion by Santa Anna added to the trouble between Governor and Council, it was fortunate that Austin and his committee obtained in the United States a large loan.

**Santa Anna's Preparations.**—When Santa Anna re-



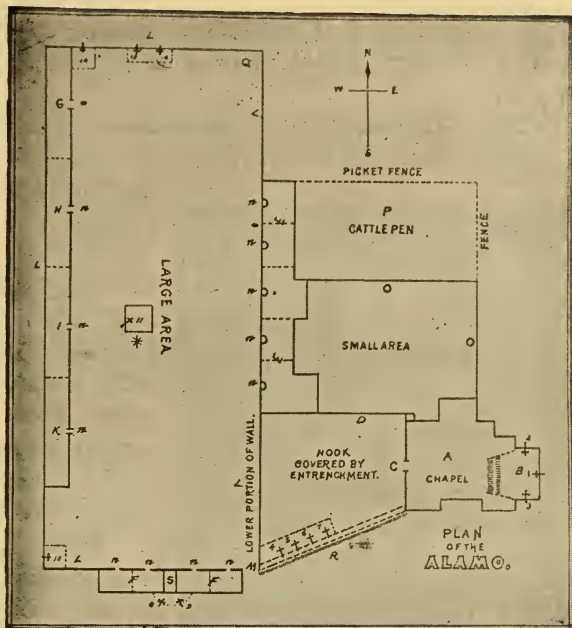
David Crockett  
From Portrait by W. H.  
Huddle

ceived news of the surrender of General Cos at San Antonio, he was filled with rage. He vowed that he would never rest until Texas should be humbled in the dust. He asserted his plans for conquering Texas. All who had taken part in the rebellion were to be driven from the province. All who were not rebels were to be removed far into the interior. The best lands were to be given to Mexican officers and soldiers. No one from the United States was to be allowed to settle in the province under any circumstances. The Texans were to pay all expenses of the war. Every for-

eigner who should bring arms or military stores into Texas was to be considered and treated as a pirate. This threat was to prevent the Americans from assisting the Texans. Mexico seemed eager to subdue the stubborn state that had dared refuse obedience to the mighty "Napoleon of the West," as Santa Anna termed himself.

**Points of Attack.**—As at San Antonio the Mexicans had received so disgraceful a defeat, here Santa Anna





Ground plan of the Alamo

A, chapel — being the present Alamo.

B, platform in chapel.

C, door of chapel.

D, wall, fifty feet long, twelve feet high.

E, E, stone house or barrack, one hundred and eighty-six feet by eighteen feet, and eighteen feet high.

F, F, one-story stone barrack, one hundred and fourteen feet by seventeen feet, with *porte cochère* at S.

G, H, I, K, stone-walled rooms built against west barrier.

L, L, L, L, barrier walls, enclosing large area, one hundred and fifty-four yards by fifty-four yards in size.

R, intrenchment and palisades.

M, gate.

n, n, n, n, n, n, n, n, doors to rooms.

O, O, barrier walls of small area.

P, cattle-pen.

Q, a breach in north wall.

I, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, location of cannon.

#, raised platform for cannon.

resolved to strike his first blow for vengeance. Toward the last of February, he led an army of his best soldiers to that city.

**The Texas Garrison at San Antonio.**—As we have seen, Colonel Neill was left in Béxar with a mere handful of soldiers.



*James Bowie*

In answer to his appeal for aid, General Houston sent Colonel James Bowie with a small force. Soon after Governor Smith ordered Colonel William B. Travis and his company to Béxar. General Houston, as commander-in-chief, had ordered the fort to be blown up and the city abandoned, but his command was not obeyed, as Colonel Neill did not have horses

enough to remove the artillery. Colonel Neill having asked to be relieved from duty on account of illness, Colonel W. B. Travis and Colonel James Bowie with one hundred and forty-four men were in charge of the town. They were well armed and had a few pieces of cannon,

but their supply of ammunition was small. If weak in number, they were strong in courage. Travis,<sup>32</sup> Bowie, Crockett were there, and Bonham was to come.

**Arrival of Mexicans.**—The Mexicans, having captured the Texan scouts, came suddenly<sup>33</sup> upon the town, February 23. The garrison was stationed at the Alamo Mission<sup>34</sup> which was the stronghold of the city: the fort was in the condition in which General Cos had surrendered it. The Texans put everything in readiness for the attack which they knew would soon be made.

**First Day of the Siege.**—The following letter from Travis gives us an account of the first day of the siege:

COMMANDANCY OF THE ALAMO,

BEJAR, Feby. 24th, 1836—

*To the People of Texas & all Americans in the world:*

FELLOW CITIZENS & COMPATRIOTS—I am besieged, by a thousand or more of the Mexicans under Santa Anna—I have sustained a continued Bombardment & cannonade for 24 hours & have not lost a man—the enemy has demanded a surrender at discretion, otherwise, the garrison are to be put to the sword, if the fort is taken—I have answered the demand with a cannon shot, & our flag<sup>35</sup> still waves proudly from the walls—I *shall never surrender or retreat*. Then, I call on you in the name of Liberty, of patriotism, & everything dear to the American character, to come to our aid, with all despatch—The enemy is receiving reinforcements daily & will no doubt increase to three or four thousand in four or five days. If this call is neglected, I am determined to sustain myself as long as possible & die like a soldier who never forgets what is due to his own honor & that of his country—VICTORY OR DEATH.

WILLIAM BARRET TRAVIS

Lt. Col. comdt.

P.S. The Lord is on our side—When the enemy appeared in sight we had not three bushels of corn—We have since found in deserted houses 80 or 90 bushels & got into the walls 20 or 30 head of Beeves—

TRAVIS

(Facsimile of the Travis letter)

Commandancy of the Alamo—

Refugio, Feb. 24<sup>th</sup> / 1836—

To the People of Texas &  
all Americans in the world—

Fellow Citizens & Countrymen—

I am besieged, by a thousand  
or more of the Mexicans under  
Santa Anna— I have sustained  
a continual Bombardment &  
surrounded for 24 hours & have  
not lost a man— The enemy  
has demanded a surrender at  
discretion, otherwise, the garrison  
are to be put to the sword, if  
the fort is taken— I have answered  
the demand with a cannon  
shot, & our flag still waves  
proudly from the walls— I  
shall never surrender or retreat  
There, I call on you in the  
name of Liberty, of patriotism &  
& every thing dear to the American  
character, to come to our aid;

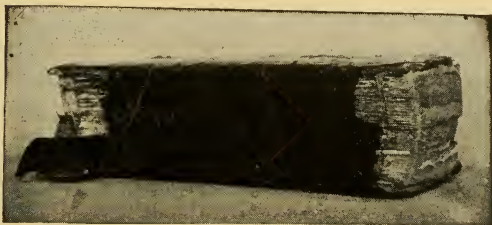
with all despatch - The enemy is  
 receiving reinforcements daily &  
 with no doubt increase to three or  
 four thousand in four or five days.  
 If this call is neglected, I am deter-  
 mined to sustain myself as long as  
 possible & die like a soldier  
 who never forgets what is due to  
 his own honor & that of his  
 country -

Victory or death

William Basset Travis  
 Lt. Col. Comdt -

P.S. The Lord is on our side -  
 When the enemy appeared in sight  
 we had not three bushels of corn -  
 We have since found in deserted  
 houses 80 or 90 bushels & got into  
 the walls 20 or 30 head of Axes -

Travis



Travis's Bible

**Succeeding Days of the Siege.**—Eloquent,<sup>36</sup> indeed, was this death cry from Travis, but alas! it brought no such response as he and his men hoped. Day by day Santa Anna drew his lines closer about the Alamo; day by day the Mexican forces increased, until they numbered perhaps five thousand men; day by day the red flag waved before the little band of heroes; day by day the cannon poured a murderous fire upon the fort and its noble defenders; day after day the Texans strained eye and ear to catch the first sign of the aid so anxiously expected. On March 1, thirty-two brave spirits from Gonzales made their way through the lines. Even then the garrison was but one hundred and eighty-two men, counting the sick and wounded. After this, no help came, and nothing was left to Travis but to await the movements of the enemy.<sup>37</sup>

**Mexican Council of War.**—On March 5th Santa Anna called a council of war. As his officers did not agree about the best time to make an attack, he himself decided to order the storming of the Alamo Mission at break of day March 6th. Special orders were given to all troops, and officers were instructed to take the fort at any sacrifice.

**The Attack.**—While it was yet dark (March 6), the Mexicans surrounded the Alamo. The infantry were supplied with crow-bars and ladders for scaling the walls. Back of these were the cavalry, who were ordered to kill any soldier that shirked the fight, and to see that no Texan escaped. At dawn a single bugle blast, the signal for battle, rang out. Amidst the roar of cannon, “the trumpets sounding the awful notes of the deguello (day-gway-lyo), signifying no quarter,” Santa Anna’s troops

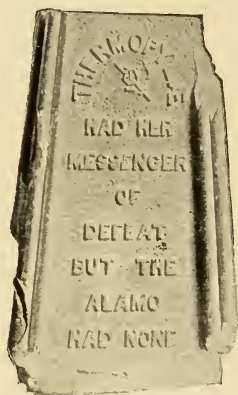


advanced to the attack from three separate directions.<sup>38</sup> The Texans received them with a terrible volley of musketry and artillery. Back rushed the Mexicans before that fire of death. Again they advanced, planted their ladders and tried to mount. The fury of despair nerved the arms of Travis's men, and again they hurled back the foe. The Mexicans, bleeding, wounded, and shattered, hesitated to renew the attack but the stern command of Santa Anna, and the flashing sabres of the cavalry, forced them on. By tens, by hundreds, they swarmed up the ladders. Down fell the first, the second, crushing all beneath them, while the Texans stood their ground. But there is a limit to all human power. What could one hundred and eighty-two men, worn out by eleven days of constant effort, do against so many fresh troops? The Mexicans were pushed forward over the bodies of their dead comrades. Now they were on the walls, now the noble Travis fell, now Bonham. The enemies were in the convent court. The outer walls were abandoned, and the Texans were pushed backwards towards the barracks and the church. Every apartment was a battle-field, every room a fortress where Death alone was conqueror. Crushing through the massive stone walls came the cannon balls from their own guns, now turned against them, yet our heroes struggled on till they were literally cut to pieces. But they fell not unavenged. The court ran with blood, but resistance did not cease until every one of the noble band lay a bleeding sacrifice upon his country's altar.<sup>39</sup> "Death and Santa Anna held the place."

**The Funeral Pyre.**—The storming of the Alamo occupied less than one hour. By the order of Santa Anna, the bodies of the Texans were collected in a huge pile

and burned, while the dead Mexicans were taken to the cemetery for burial.<sup>40</sup> As the Sabbath sun sank slowly in the west, the smoke from that funeral pyre of heroes ascended as incense to heaven. From that sacred fire sprang the flames that lighted all Texas, and caused even the "Napoleon of the West" to tremble.

**The State and the Alamo.**—In May, 1883, the State bought the Alamo Church for \$20,000. The Daughters of the Republic of Texas, a group of patriotic women, generously raised \$10,000 towards buying that supposed part of the Mission of San Antonio de Valero next to the church, called the "long barracks." In 1905 the Legislature appropriated \$65,000 for this purpose. The



Detail of old Alamo Monument

total purchase money was \$75,000, but the state to-day ranks this property as priceless. The visitor to San Antonio to-day finds in the very midst of the whirl and bustle of modern life this silent yet eloquent reminder of the Texas Thermopylæ.

**The Alamo Monuments.**—At the entrance to the old capitol at Austin stood a monument built from the ruins of the Alamo, and dedicated to the heroes who perished there. The names Bowie, Travis, Bonham, and Crockett

stood out in bold relief, one on each side. The north front bore this inscription: "To the God of the fearless and free is dedicated this altar, made from the ruins of the Alamo." The east front: "Thermopylæ had her messenger of defeat, but the Alamo had none." The west front: "Blood of heroes hath stained me; let the stones

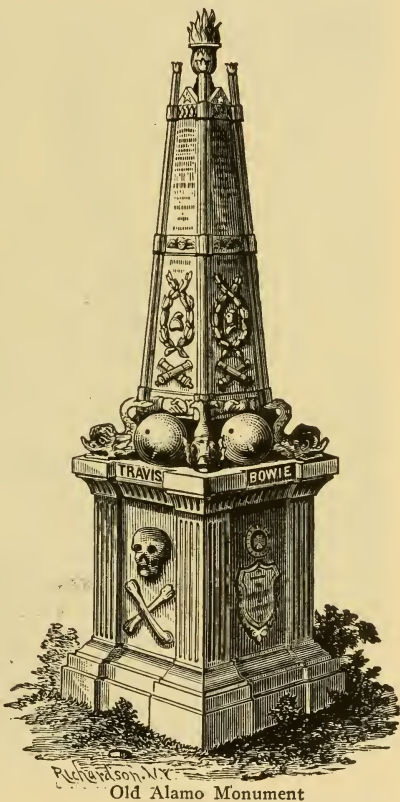
of the Alamo speak that their immolation be not forgotten." The south front: "Be they enrolled with Leonidas in the host of the mighty dead."

This monument was destroyed at the burning of the capitol in 1881. A new monument now stands on the capitol grounds.

**Why Travis was not Reënforced.—**

The fact that Travis did not receive sufficient reënforcements may be assigned to two causes. 1. The disagreement between the Governor and Council prevented any prompt, energetic action on the part of the government. 2. The masses of the people were ignorant of the perils that threatened the garrison at the Alamo. It must be remembered that in 1836 all news from Mexico came by sailing vessels via

Vera Cruz and New Orleans to Harrisburg, Brazoria, or Matagorda; this voyage took three weeks or more, and then another week was required to spread the tidings among the people by means of couriers. Thus Santa



Old Alamo Monument

Anna might have been four weeks on his march toward Texas before the colonists knew that he had left Mexico. It was known that Santa Anna was prepar-



New Alamo Monument

ing to invade Texas, but our people had no idea that he would attempt to cross the uninhabited region east of the Rio Grande until the spring grass appeared; they also thought the boggy condition of the country

would prevent his arriving at San Antonio before May. Even Travis did not know that Santa Anna was near till the Mexican army came in sight; he may have expected a raid from the Mexican cavalry, but that he had no idea of the real state of affairs is shown by the fact that he made no urgent appeal for aid till February 24. As soon as his call was sent out volunteers from the east hastened toward the besieged fort, but with the exception of Capt. Martin and his men from Gonzales (the nearest strong settlement) they came too late.

**Declaration of Independence.**—On March 1, a convention met at Washington on the Brazos. Richard Ellis was made President and H. S. Kimble, Secretary. The Convention declared (March 2d) Texas to be an Independent Republic.<sup>41</sup>

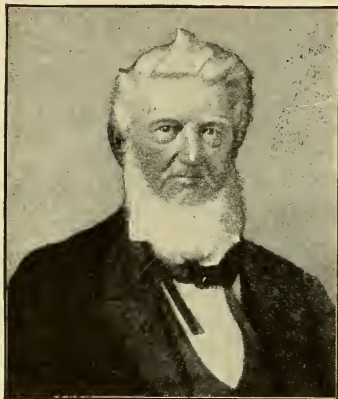
**Temporary Government.**—The Convention took the government into its own hands, thus ridding Texas of the strife between Governor Smith and the Council. A Constitution was adopted for the Republic of Texas. As there was no time in the middle of war for the people to elect officers, the Convention chose temporary officers. These were President, David G. Burnet; Vice-President, Lorenzo de Zavala. A Cabinet of five members was selected to aid the President. General Sam Houston was elected Commander-in-Chief of the Army.

When the news came of the fall of the Alamo and the approach of the Mexicans, the Convention adjourned in deep sorrow and passionate excitement. President Burnet moved all state papers to Harrisburg and thence to Galveston, lest they should fall into Santa Anna's hands.

**Recruits for the Army.**—Realizing the need of more soldiers the Convention ordered that able-bodied men between the ages of seventeen and fifty should be subject

to military duty. No citizen was to be forced to serve for longer than six months. An earnest appeal for aid was sent to the United States, and to secure volunteers the Convention decreed that volunteers already in the army, who would serve till the close of the war, should receive one thousand two hundred and eighty acres of land; volunteers for six months were to receive six hundred and forty acres; volunteers for three months three hundred and twenty acres.

**Houston's Difficulties.**—From the beginning Hous-



David G. Burnet

ton found his position as commander-in-chief of the Texas forces beset with difficulties. We have seen how Johnson, Grant and Fannin had been ordered by the Council to collect troops and to invade Mexico. These officers claimed that, as they were authorized to undertake the Matamoras Plan, not by Governor Smith and not by General Houston, but by the military com-

mittee of the Council, therefore they were not subordinate to Houston. Following the Governor's direction, Houston went from Washington (on the Brazos) via Goliad to Refugio where (January 20 or 21) he had a conference with Johnson. Finding Johnson would not recognize him as commander-in-chief, Houston made a speech to the soldiers and persuaded most of them to withdraw from Johnson's troops, thus making it impossible for Johnson to carry out his plan against Matamoras. Hous-



ton then returned to Washington and laid the case before the Governor. Certain Indian tribes had troubles they wished settled; Houston had been named by the Governor and Council as one of a committee to treat with the red men, consequently Governor Smith now gave him a furlough till March 1 and sent him to attend to this duty. He returned in time to serve as a member of the Convention of March, 1836.

When on March 2, Texas was declared a free and independent republic, even the most sanguine supporters of the Matamoras idea were forced to admit that they could now hope for no aid from the Mexicans, and the invasion was abandoned.

**Houston's Appeals Not Heeded.**—On his reëlection (March 4) as commander, Houston hastened to Gonzales, where he found three hundred and seventy-four undisciplined recruits and scanty supplies. He made strong appeals for volunteers, but it seemed that the Texans, discouraged by the quarrel between the Governor and the Council, took little interest in the defense of their country. Most of the volunteers were from the United States. To add to the troubles of the hour, came the awful news of the fall of the Alamo,<sup>44</sup> and tidings



Statue of Sam Houston  
by Elizabeth Ney

that the Mexican army was approaching. Terror fell upon the people. The country for miles about San Antonio was absolutely deserted; men, women, and children preferred to give up home and property, to suffer any privation, rather than to fall into the hands of the unpitied Santa Anna.

**General Urrea** (oo-rā'ä).—While Santa Anna was marching against San Antonio, General Urrea was hastening into the country near the Gulf coast, with orders to take possession of San Patricio, Refugio, and Goliad. He reached Texas the latter part of February with not less than nine hundred men.

**Grant and Johnson.**—Retracing our steps we find Dr. Grant and Colonel Johnson with about one hundred men at San Patricio still making preparations to attack Matamoras. They expected soon to be joined by Fannin. While on a raid for horses Grant and his little company were surrounded by a strong Mexican force under Urrea himself and cut to pieces. On February 27 General Urrea captured San Patricio and put to death all Texas soldiers except Johnson and a few others who managed to escape.

**King and Ward at Refugio.**—Families living around the Refugio Mission sent to Colonel Fannin (who was then at Goliad), asking for protection in moving to Goliad, as Urrea was reported to be approaching. Fannin ordered Captain King with twenty-seven or twenty-eight men to act as escort to these colonists. King reached Refugio in safety, but before he could start back with the families, the Mexican army appeared, and he was forced to retire to the church of the Mission. He sent to Fannin for aid, and Lieutenant-Colonel Ward with about one hundred men hurried to his relief, March 13. King and his men were caught outside the fort and slain

by the enemy. Urrea stormed the mission, but was repulsed. The ammunition being exhausted, Ward thought best to retreat toward Victoria. Urrea's men soon hemmed him in; hence, as there was nothing to be done, and fair terms were offered, he surrendered (March 21). What his fate was we shall see later.

**Fannin.**—At Goliad Colonel Fannin had under his command between four and five hundred men most of whom were volunteers from other states. Fannin was quite willing to serve under Houston, if the General would lead the expedition against Matamoras. But, as we have seen, Houston was sent to treat with the Indians and Fannin was left to make his own plans. When he heard of the coming of the Mexican army into Texas, he decided to remain at Goliad and strengthen the fort so as to be ready for Urrea's attack. Supplies were so scant that his men suffered severely.

**Fatal Delay.**—About the middle of March, General Houston, who was now by authority of the Convention the undisputed Commander-in-chief of the Texas army, ordered Colonel Fannin to leave Goliad, destroy all fortifications, and hasten to Victoria. As so many of his men were absent, Fannin did not feel authorized to march without them. Couriers were sent to Refugio to bid Captain King and Colonel Ward return at once, but neither the couriers nor the soldiers came. On March 18, Urrea appeared and a light skirmish followed. The next morning, Fannin felt that he could wait no longer, so, having dispatched the cavalry to see if the way was clear, he commenced his retreat. After a journey of some miles, he halted to rest his teams; this stop was made a short distance from the Coletto (coh-láy-toe). Some of his officers objected, believing it the part of prudence to go on to the creek. Fannin and the

majority of his men, however, had such contempt for the Mexicans, that they were rash.

**Battle of the Coleto** [or Encinal del Perdido].—After an hour's rest, Fannin prepared to continue his march. But he found himself completely surrounded by the enemy, a strong force of whom had come up during his halt. To make matters worse, the Texans were in a depression some feet lower than the surrounding prairie, and were without water. Retreat was impossible. Fannin arranged his men in a hollow rectangle, and made ready to meet the attack of the Mexican infantry and cavalry that far outnumbered his forces. For hours the battle raged fiercely; Fannin's troops showed great heroism. As the Texans had no water, their cannon soon grew too hot to be used. When it became dark, the Mexicans withdrew, leaving our men victors for the day.

**A Night of Agony.**—During all that night, the Texan camp presented a sad scene. The moans of the wounded, and their pitiful pleadings for water, were heart-rending. Fannin himself was severely injured. As all the teams had escaped during the battle, there was no means of moving the wounded, which meant that every hope of retreat under shelter of the darkness was destroyed.

**Surrender.**—The next morning, Urrea received not less than four hundred fresh troops and two cannon. When the Texans saw the Mexican artillery, they knew their last chance of victory was gone. In an unfavorable place, without water, surrounded by foes that several times outnumbered them, tortured by the moans of suffering and dying comrades — there was nothing left but to surrender. A white flag was raised, and Colonel Fannin went out to treat with Urrea. It is said his last words to his men were: "If I can't get honorable surrender, I'll come back, and we will all die together."

**Terms of Surrender.**—Different stories are told about the agreement between Fannin and Urrea. The Americans have always claimed that the Mexican officers promised to treat them as prisoners of war, while Urrea claimed the Texans surrendered without conditions and showed in his report a copy of the terms agreed upon. The Americans refused to believe the copy a true one. Not long since, however, another Spanish copy of the terms of surrender was found in Mexico, agreeing with Urrea's. Freely translated, it reads thus: 1. We propose that we surrender unconditionally. 2. That the wounded and Commander Fannin be treated with all consideration possible in asking them to give up their arms. 3. That the whole detachment be treated as prisoners of war and placed at the disposition of the supreme Government.

The first and third clauses contradict each other. We do not know how to account for this. We do know, however, that in 1836 Christian nations did not butcher their prisoners of war, so the Americans had every reason to hope their lives would be spared. Fannin said there was also a verbal pledge that both officers and men should be sent back to the United States provided they would promise to give no further aid to Texas.

On Fannin's return, his forces were ordered out to stack their arms. They were then, under a strong guard, hurried back to Goliad, where they were imprisoned in the old fort. On March 25, Colonel Ward and his men were brought as captives to the same place.

**The Massacre.**—On the night of the 26th, Fannin's men spent the evening in merry conversation concerning their return home. Suddenly a rich tenor voice began singing "Home, Sweet Home." Many an eye grew dim, as one after another took up the soft refrain. Even while the song was on their lips, a messenger came

from Santa Anna, bearing an order for the murder of all American prisoners. As the patriots lay down to sleep and dream of their far-away homes, the servants of the "Prince of Butchers" prepared to execute his commands. The next morning was Palm Sunday. What a day to choose for such a deed! At dawn, the Texan troops were awakened and ordered to file out. They were divided into three divisions, each placed under a strong guard, and marched in different directions. After going a half mile, the officers commanded a halt. The next moment a volley of balls hailed upon the unarmed Americans. Again and again they came, till not one was left standing. The officers were kept for the last, but shared the same fate.<sup>44</sup> Even the wounded were dragged from their beds and ruthlessly murdered. As a fitting close to the scene, the bodies of the Texans were partially covered with brush, and this was set on fire. Some few of the men escaped by running to the river the moment the firing began. Only twenty-seven managed to save their lives.<sup>45</sup>

**Santa Anna's Excuse for the Massacre.**—Such cruelty as was shown in this massacre called forth severe censure from the civilized world. Santa Anna tried to justify his actions by saying that the great Mexican Congress had passed a law declaring that "all foreigners taken with arms in their hands, making war upon Mexico, shall be treated as pirates." All attempts to excuse such a deed are mockery.

**Santa Anna's Plans.**—After the direful disasters at San Antonio and Goliad, Santa Anna considered his work in Texas finished. He had no doubt that the rebellious colonists were conquered, and as he was needed in Mexico, he wished to leave Texas at once. But the officers whom he had appointed to reëstablish Mexican laws



and forms in the province were wiser than he. They saw that, as yet, the Texans themselves had not been subdued. Many of those murdered at the Alamo and at Goliad were volunteers from other states; the masses of the Texans were yet to show what they could do. Santa Anna, being persuaded that his officers were in the right, arranged his army into five divisions, that he might penetrate the interior of Texas, and rapidly make himself master of the province.

**Houston Decides to Retreat.**—When Houston received news of the fall of the Alamo and of the approach of the Mexicans he ordered Fannin to retreat to Victoria. On March 13th Mrs. Dickinson, who had been an eyewitness of the death struggle of Travis and his heroes, reached Gonzales with the sad news of the fate of the Alamo; she also reported that Santa Anna was sending troops towards Gonzales. Houston commanded a retreat and the army left that very night. The town was burned to prevent any stores from falling into the hands of the enemy.

**Houston's Reasons for the Retreat.**—This retreat, lasting nearly six weeks, has aroused more discussion perhaps than any other event in Texas history. General Houston felt that his soldiers were too few in number and too poorly trained to meet the veteran troops that he heard Santa Anna was to lead against him. He also considered any position in South or West Texas, distant as it was from the center of population, poor for risking a battle, as his men would in case of defeat have no chance to escape. The map of Texas shows a number of rivers flowing to the southeast. Houston decided that these rivers would be his best protection. He announced that he would retreat across the Colorado and there make a stand; he felt sure hundreds of Texans

would hasten to the army when they heard of Santa Anna's coming.

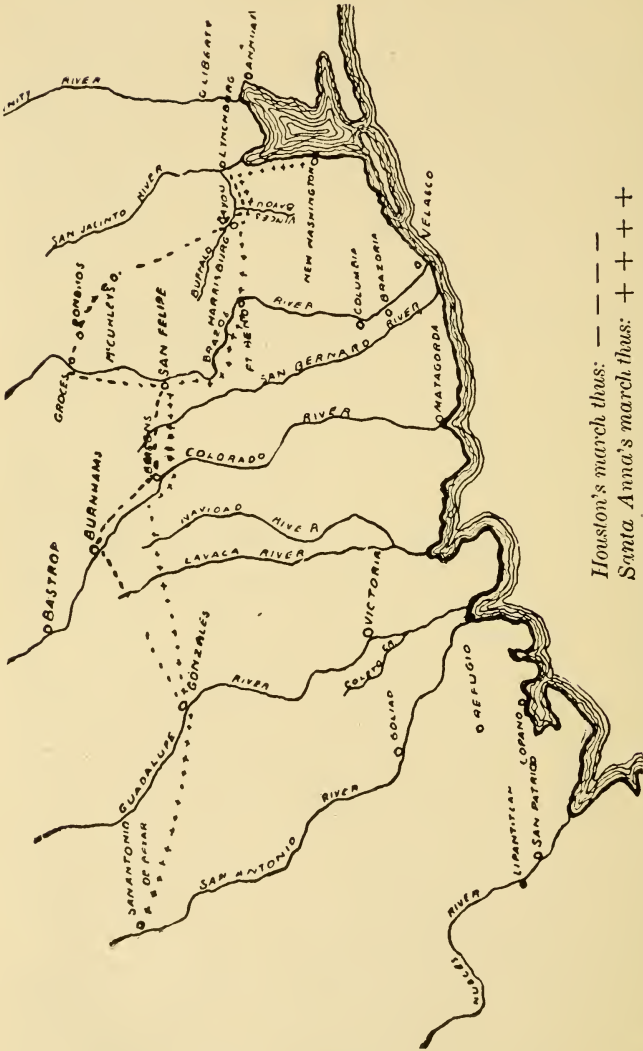
**The "Runaway Scrape."**—News of Mrs. Dickinson's story, of Houston's retreat, of the removal of the seat of government from Washington on the Brazos to Harrisburg, of the onward march of the Mexicans under General Sesma, all caused the people to become terror-stricken. Most of the men, even many of the boys, had joined the army, thus leaving at home only women and children. When Houston marched eastward, these were left with no barrier between them and the Mexican army, who had the reputation of showing mercy to none. Soon the roads going east were thronged with wagons, ox-carts, horses and even cows loaded with women, children and household goods; many colonists trudged on foot. When the news came of the surrender and murder of Fannin's command it seemed that the worst had come. The army had increased to perhaps fourteen hundred, the soldiers were eager for battle, and when their general continued to retreat even after the Colorado was crossed, they bitterly reproached him. In vain Houston appealed to the Texans to stay with the army and thus protect their families. Scores of men left camp to take their loved ones to places of safety and still the caravan of women and children toiled on over rough, muddy roads to the east. They were in danger from Indians, they suffered from hunger and rain, they were poorly clad, sickness and death fell upon them, but still they pressed on eastward.<sup>46</sup>

**Line of Retreat.**—From Gonzales Houston marched to Burnam's on the Colorado (near the present La Grange). After a halt of some days and after stopping at smaller points he went to San Felipe on the Brazos. As Captains Baker and Martin refused to retreat fur-

ther, he left Captain Baker to guard the crossing of the river at San Felipe and Captain Martin to watch the ford at Fort Bend. At Groce's on the Brazos (near where Hempstead now stands) he camped two weeks and tried to train the troops, but they were so eager to fight and so uneasy about their wives and children, that they were in little humor for military discipline. On April 14, Houston marched from Groce's and on the 18th came to Harrisburg where he left the sick and disabled with a small force to protect them.

**Santa Anna's Movements.**—The Mexicans had a strong force in Texas, but they were widely separated. One division was left at San Antonio de Béxar; another was on its way from San Antonio to Nacogdoches; a third was stationed at Victoria; General Sesma was hurried after Houston; Colonel Amat (ah-mät') was ordered later to march by way of Gonzales and join Sesma. Houston had no sooner crossed the Colorado than Sesma with about seven hundred men came up; here it was that the Texas army begged to be led to battle. While Houston was in camp at Groce's, Santa Anna himself took command of Sesma's troops and led them to San Felipe. When he learned that the Texas government had moved its headquarters to Harrisburg, Santa Anna resolved to turn aside from his course, take the town, and make prisoners of all Texas officials, including his enemy, Lorenzo De Zavala. He burned the town, but President Burnet and his party escaped. Santa Anna then passed down to New Washington on Galveston Bay and returned to the San Jacinto River.

**Houston Meets the Enemy.**—On April 18, two Mexican captives were brought into the Texas camp by Deaf Smith.<sup>47</sup> From the despatches they carried, Houston learned what he did not know positively before, that



Houston's march thus: - - - - -  
Santa Anna's march thus: + + + + +

MAP OF HOUSTON'S RETREAT

From the Texas Quarterly, April 1907

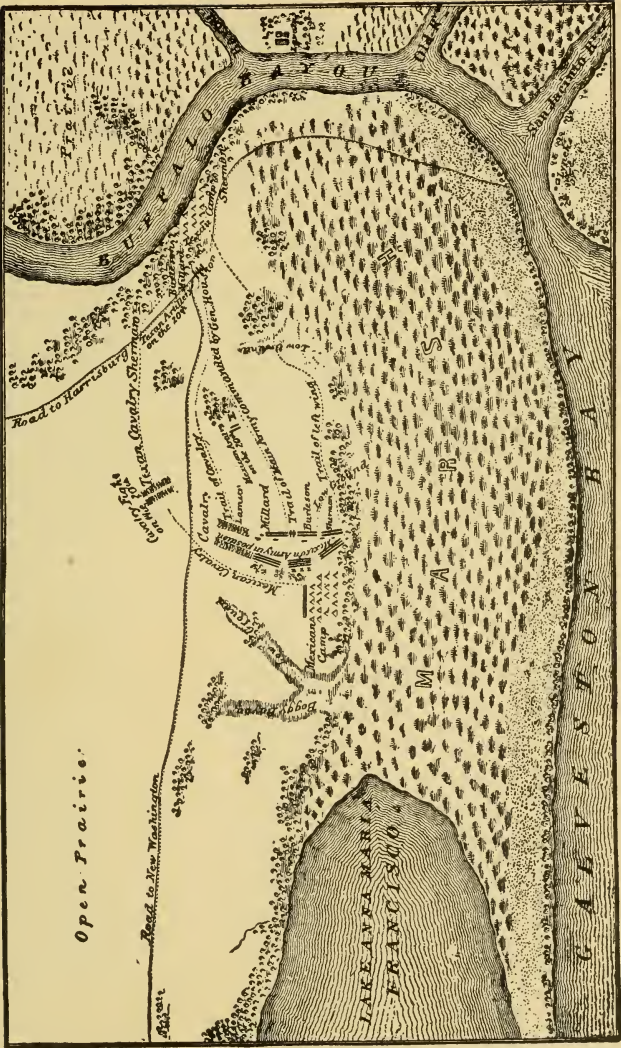
Santa Anna was with the advance force of the enemy, and that he was cut off from the other divisions of his army. Houston felt that the hour had struck and he determined at once to stake all upon a battle. He hurriedly moved on to a point near Lynchburg, opposite the mouth of the San Jacinto. From the report of his scouts he felt sure not many hours would pass before the enemy would come in sight. He selected a suitable place for a camp, mounted the "Twin Sisters" (two cannon presented the Texans by Cincinnati friends), formed his men, and waited. Nor did he have long to wait. Ere the tired soldiers had time to rest, scouts came flying in with news of the approach of Santa Anna. The Mexican bugle soon told the same story. The day (April 20) was marked by a skirmish that gave no advantage to either side; in the evening Santa Anna camped about three-fourths of a mile distant from Houston's army.

**April 21.**—The day dawned clear and bright that was to decide whether Texas should be free. In the morning a body of men was seen in the distance marching toward the enemy's camp. "Reënforcements for Santa Anna," passed from lip to lip. It was General Cos who had come with about four hundred troops to Santa Anna's assistance. The Mexicans threw up a breast-work five feet high of pack-saddles and baggage sacks, leaving an opening in the center for their cannon. A defense of brushwood was also placed in front and on the right. At noon Houston called a council of war; the officers did not agree upon a plan of action, but the majority favored postponing the battle until morning. The soldiers were asked their opinion and voted to fight immediately. Deaf Smith and some trusty companions were authorized to destroy Vince's bridge. As this

bridge was on the nearest road to the Brazos, its destruction meant a delay of other reënforcements that might be on their way to join Santa Anna.

**Battle of San Jacinto.**—At three o'clock a parade was ordered. The eight hundred brave Texans learned that they were to be led against Santa Anna's thirteen hundred <sup>48</sup> veteran soldiers. The news was gladly received. Quickly yet quietly preparations were made. The nature of the ground allowed them to form in line of battle without being seen by the enemy.<sup>49</sup> In the opposite camp all was silent, as most of the officers were taking their afternoon nap, the general himself being asleep. There may have been little martial music to cheer the band of Texans, but he who looked into those flashing eyes and read the resolution written on those brows and lips, knew they had no need of drum or fife. The Mexicans, though surprised, at once prepared to meet the charge of the advancing columns. As the Americans neared the camp and saw before them the butchers of their friends and loved ones a fierce cry for vengeance burst from every heart, "Remember the Alamo! Remember Goliad!"<sup>50</sup> For a second the Mexicans shrank back in terror, but rallying, they poured a raking fire of musketry upon the Texans. Not an instant did Houston's men pause. Before the enemy could reload, the Texans were within pistol-shot; then eight hundred bullets winged their way into the Mexican ranks. Still the Texans paused not. Turning their rifles into war-clubs, they grappled hand to hand with the foe. When the rifles were broken, they drew their pistols, fired, and then hurled them at the enemy. The next instant they took their bowie-knives and, again raising the dread battle-cry slaughtered right and left in savage fury. The Mex-





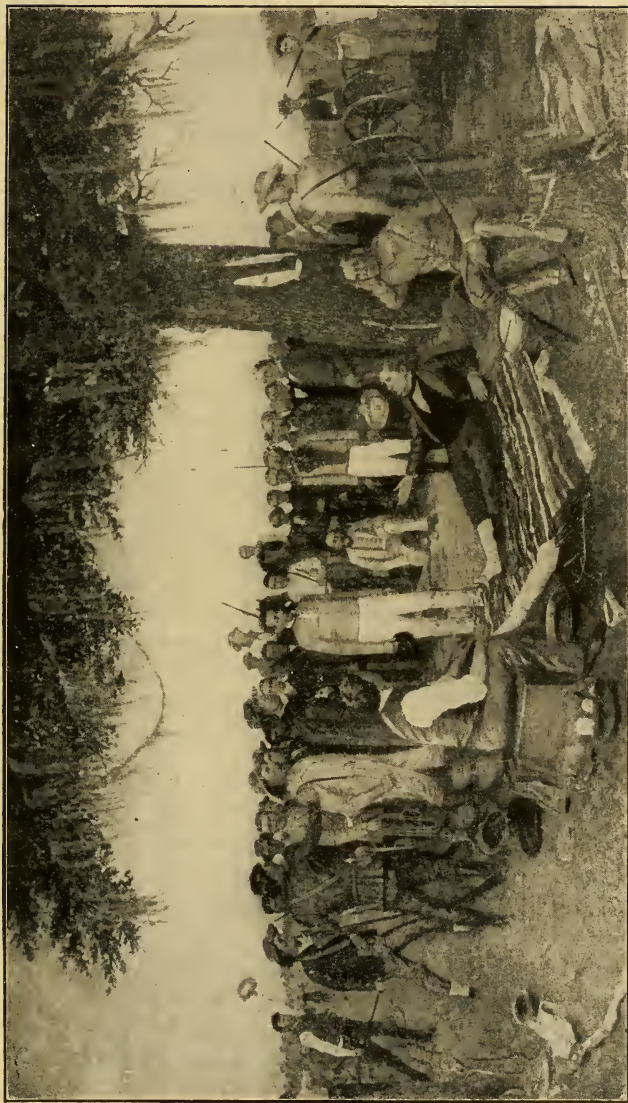
San Jacinto Battle Ground

icans becoming convinced that they were struggling with demons and not mortals, took to flight. In eighteen or twenty minutes the battle was won, and the Texan forces were in full possession of Santa Anna's camp.

**The Pursuit.**—The Mexicans fled in every direction while the Texans followed. Many a Mexican fell on his knees, and pleaded: "Me no Alamo; me no Goliad." It is to be feared that they were not always granted mercy, for the Texans had vowed to offer a bloody sacrifice to the memory of the martyred Travis, Bowie, Crockett, Bonham and Fannin. When the Mexican cavalry saw that the day was lost they hurried to Vince's bridge to make their escape; the bridge was gone! There was no time to "head" Vince's bayou; behind them came the dreaded Texans; before them rolled the turbid waters. Death stared them in the face on either side. Many of them plunged into the muddy bayou. Down went horse and rider to destruction. Toward night Colonel Almonte (äl-mon'-tā) formally surrendered the four or five hundred Mexicans that he had managed to keep together in the retreat.

**Results.**—Houston, in his reports, stated the Texan loss at two killed and twenty-three wounded, six of whom were mortally injured. The Mexicans had six hundred and thirty killed, and seven hundred and thirty taken prisoners; of the prisoners two hundred and eight were wounded. Probably not more than three or four dozen of the enemy escaped. The Texans captured \$12,000 in specie, some hundreds of mules and horses, and over a thousand muskets, sabers, and pistols. Among the distinguished prisoners were General Cos, Colonel Almonte, and Santa Anna.

**Santa Anna a Prisoner.**—On the morning of the 22d, as some privates were out searching for prisoners,



Houston and Santa Anna (From painting by W. H. Huddle)

they captured a Mexican dressed as a common soldier. His manners, and a shirt of the finest material, made them think him an officer. When they took him into camp, the Mexican prisoners, recognizing him, shouted, "The President!" Then it was known that the Dictator was a captive in the hands of the people he had so cruelly wronged. He was led to Houston, who, having been severely wounded, was asleep beneath the shade of a great oak. Santa Anna took the hand of the prostrate victor, and bowing, introduced himself: "I am General Antonio Lopez de Santa Anna, President of Mexico, and I claim to be your prisoner of war." Houston greeted him politely, and invited him to be seated. The President then wished to enter at once into a treaty of peace with Houston, and Rusk, the Secretary of War. They told him that Texas had a Congress, which body alone had power to make treaties. "But, General Houston," said Santa Anna, "you can afford to be generous, for fate has allowed you to have the honor of capturing the Napoleon of the West."<sup>51</sup> All his entreaties were useless; Houston and Rusk would agree to nothing more than an armistice. The Dictator at once sent a letter to General Filisola, commanding all Mexican forces, to withdraw to San Antonio and Victoria, where they were to await further orders. Houston used every care to have his distinguished prisoner made comfortable, and despatched messengers for President Burnet.

**General Rusk Succeeds Houston.**—The wound that General Houston received during the battle proved to be so serious that he was forced to go to New Orleans for medical attention. General Rusk succeeded him as commander-in-chief.

**President Burnet and His Cabinet Meet Santa Anna.**—In answer to Houston's summons President Bur-



net and his cabinet hastened to the camp to take counsel as to what should be done with Santa Anna. They soon took the distinguished prisoner to Galveston and then to Velasco. Two members of the cabinet, Lamar and Potter, were opposed to any treaty with Santa Anna. They insisted that he was a murderer, and that his rank should not shield him from the punishment he so richly deserved; that as he had shown no mercy to the Texans, so should the Texans show him no mercy. Fortunately, milder counsels prevailed, and Santa Anna was saved.<sup>52</sup> Thus Texas retained the respect and admiration of the civilized world, something she needed more than vengeance.

**Two Treaties with Santa Anna.**—After much discussion, two treaties were made. The public treaty, drawn up at Velasco, May 14, 1836, contained as the principal points:

1. That Santa Anna should neither take up arms nor use his influence against Texas in her war for independence.
2. All hostilities should cease at once.
3. The Mexican troops should withdraw beyond the Rio Grande, should respect all private property, and restore all property previously captured.
4. The Texans should not approach nearer than five leagues to the retreating Mexican troops.
5. All American prisoners should be released.
6. The treaty should be immediately sent to Filisola, that he might act accordingly.
7. Santa Anna should be sent to Vera Cruz as soon as it was deemed proper.

In a secret treaty made at the same time, Santa Anna also promised to prepare the Mexican Cabinet, (1) to receive favorably any commissioners sent by the Texan government, (2) to acknowledge Texan independence, and (3) to enter into a treaty of commerce with Texas,

the territory of the latter not to extend beyond the Rio Grande.

**Santa Anna in Danger.**—In accordance with this treaty, President Burnet permitted the prisoner (June 1) to go on board the vessel "*Invincible*," which was soon to sail for Mexico. Santa Anna was to be accompanied by Bailey Hardeman and Lorenzo De Zavala, commissioners from Texas to the Mexican government; these commissioners were kept waiting for their final instructions until June 3. When the action of President Burnet became known, a great cry of indignation rose from many of the soldiers and people. The delay made matters worse, as about this time some two hundred volunteers from New Orleans arrived at Velasco; they urged the Texans to demand from President Burnet the surrender of Santa Anna, and promised to assist in taking the Dictator by force, if necessary. Excitement ran high. In vain the President tried to show them how the world would condemn the nation that violated its own treaty, and the benefits Texas might reasonably hope from Santa Anna's return to Mexico. Threats were made against the President's life, but these did not move Burnet; it was only when compelled by the fear of a riot and danger to others that he ordered Santa Anna to disembark. The terrified prisoner, who felt sure he would be torn in pieces by the angry troops, refused to leave the vessel, and it was with the greatest difficulty that he was brought ashore and placed under a heavy guard. In August, Mexican friends conspired to release their chief, but the plot was discovered. From this time the Dictator led a hard life, being sent from place to place, now in irons, now without sufficient food, and often subjected to humiliations.



**Santa Anna Released.**—When Austin returned to Texas he visited Santa Anna and advised him to write a frank letter to President Andrew Jackson asking his help. The President sent a kind reply. Finally when Houston became President of Texas, he sent Santa Anna and his suite at their own request to the President of the United States at Washington. President Jackson received the fallen general courteously, and returned him to Mexico. Reaching home February, 1837, Santa Anna retired to his hacienda. The other Mexican officers, as well as the private soldiers captured at San Jacinto, were also released.

**Mexican Troops Withdrawn.**—As soon as news was received of the defeat at San Jacinto, the Mexican army under Generals Filisola and Urrea began to retreat. Deaf Smith soon overtook the retiring forces and delivered the orders from Santa Anna. Filisola sent General Woll to the Texas camp under a flag of truce to obtain full instructions from Santa Anna. General Rusk detained him till a definite treaty should be drawn up. The Mexicans continued their retreat, suffering indescribable hardships. The treaty entered into by Santa Anna and President Burnet was brought to Filisola near Goliad. He made haste to sign the document. The Mexicans continued their march, till, gaunt and worn from hunger and fatigue, a miserable remnant of the once proud army reached the Texas frontier (June 18).<sup>53</sup>

**Women and Children Return Home.**—After the victory at San Jacinto General Houston sent out riders to tell the joyful tidings to the women and children still fleeing towards the Sabine River. Mothers clasped their children in fond embrace, fell upon their knees and thanked God that Texas was free and they might return home. (See page 181.) The Mexicans had left ruin in their trail,

however. San Felipe, Gonzales, New Washington and Harrisburg were in ashes. Farm property of all kinds was destroyed.

**Commissioners.**—In May (1836), President Burnet sent as special commissioners from the Republic of Texas to the United States, Peter W. Grayson and James Collinsworth, who were to take the places of Austin, Archer and Wharton. These commissioners were to ask Congress to recognize Texas as a free and independent country; and they were also to state that it was the wish of their people that Texas be annexed to the United States. Before they reached Washington, Congress had adjourned; therefore they laid the entire question before President Jackson and left it in his hands. Soon after, President Jackson sent Mr. Morfit to Texas with instructions to examine closely into all affairs of the country, and report as to the advisability of recognizing Texas as a Republic. Mr. Morfit advised that recognition be delayed.

Austin, Archer and Wharton returned home in June. They had been, as we have seen, successful in obtaining money and men to carry on the war; their public speeches had done much to arouse a deep interest in Texas throughout all sections of the United States, which interest in time brought many earnest men and women to settle in our midst.

**Texas Navy.**—No account of the Texas Revolution is complete without some mention of the little navy that did such valiant service. The war-vessels were the “Invincible,” “Brutus,” “Independence” and “Liberty.” They were specially useful in preventing the landing of vessels loaded with supplies for the Mexican armies. In April the “Invincible” attacked the Mexican schooner “Montezuma,” and after a battle of two hours so dis-

abled her that she was forced to run ashore. The "Invincible" next captured the American brig "Pocket," which was loaded with provisions for the Mexicans. The supplies thus obtained were a timely prize for the Texans, as it was difficult for them to obtain sufficient food for themselves and their prisoners.

**The "Horse Marines."**—Major Isaac W. Burton, with a squad of twenty mounted men, was bidden to patrol the coast to prevent the landing of any Mexican vessel. Seeing (June 2) a vessel in the bay (off Cóp-ano), Major Burton concealed his men, and on the next day signaled the craft to send out a boat. No sooner did the boat reach the shore than the five Mexicans on board were seized, while sixteen Texans took their places, attacked and took possession of the vessel. From this time Major Burton and his men were laughingly called "The Horse Marines."

**Army in Readiness.**—Many Texas soldiers returned home to care for their families, but their places were filled by volunteers from the United States. It was of vital importance that the army be kept ready for action, as Texas did not know whether Mexico would feel bound by Santa Anna's treaty; another Mexican army might, at any moment, invade the country. Yet, when the last of Santa Anna's soldiers crossed the Rio Grande, Texas breathed a deep sigh of relief and thanked God, for she felt that the Lone Star Republic was at last the "land of the free" as well as "the home of the brave."

## SUMMARY OF ERA IV

Mexico, suspicious that the United States and colonists in Texas were planning to take the province from her, passed a decree in 1830 forbidding Americans settling in Texas.

The chief causes of the Texas Revolution were this decree, the refusal to separate Texas from Coahuila, the proposed settling of Mexican convicts in the province, the insolent tyranny of Mexican soldiers sent to collect taxes and the entire lack of sympathy between the Anglo-Saxon and Mexican races.

An officer in the Mexican army, Captain Bradburn, closed ports and imprisoned without trial several colonists. The Texans prepared to resist. While waiting for cannon to be sent from Brazoria, they adopted the Turtle Bayou Resolutions (June, 1832), declaring their loyalty to the Mexican constitution of 1824 and to Santa Anna. Colonel Piedras removed Bradburn and granted justice to the Texans, but in the meantime the colonists won the battle of Velasco (June 1832).

Colonel Mejía was sent to investigate Texas affairs. Austin went with him. Mejía returned a favorable report; he was specially pleased at Texas's devotion to Santa Anna, who was then the idol of the Mexican people.

The first convention at San Felipe de Austin (Oct., 1832) asked Mexico for the repeal of part of the decree of 1830, the creation of Texas as a separate state and the free import of necessary articles for three years. The Mexican government was displeased at the convention and granted nothing.

In January, 1833, Santa Anna was elected President. In April the second Texas convention at San Felipe met, repeated their requests and drew up a constitution for Texas as a distinct Mexican state. Austin went to the capital to press Texas's claims. He found Santa Anna had for a time turned over the government to the Vice-President, who promised to repeal article XI. of the decree of 1830, but to do nothing more. On account of letters written his people, Austin was arrested and imprisoned (February, 1834) as a traitor. When Santa Anna returned to office he heard from Austin and De Zavala the appeals of Texas. He granted the repeal of article XI. of the decree, but refused separate statehood; he ordered troops of Mexican soldiers to be stationed in Texas. Austin was still held prisoner.

Santa Anna now made himself supreme ruler of Mexico, and the Constitution of 1824 became a dead letter. All state gov-

ernments were ordered to dissolve. Only Zacatecas, Coahuila and Texas failed to obey. Zacatecas was crushed May, 1835. Orders were issued to reduce the militia in Texas, to send a large Mexican force under General Cos to occupy the province and to arrest De Zavala and other patriots.

Austin returned home August 31, 1835, the cause of his release not being known.

A skirmish at Gonzales, the capture of Goliad, the battle of Concepción and the storming of San Antonio under Milam all resulted in victories for the Texans. In November a provisional government was organized for Texas, with Governor Henry Smith and a Council to manage public affairs, but the Texans still pledged themselves to Mexico and the Constitution of 1824.

The year 1836 opened with serious quarrels between Governor and council. An expedition against Matamoras, though opposed by Governor Smith, was ordered by the Council, but failed. Loans were secured in the United States and many volunteers joined the Texas army.

The siege of the Alamo (February 23 to March 6) gave to history the sentence, "Thermopylæ had her messenger of defeat, but the Alamo had none." March 2, a convention at Washington on the Brazos declared Texas a free and independent republic. David G. Burnet was made President-ad-interim. The destruction of Grant and his men, of Johnson's soldiers at San Patricio (February), of King and his troops (March), the surrender of Ward (March), the battle of the Coleto, the surrender of Fannin and the awful massacre at Goliad (March 27) filled Texas with gloom. General Houston ordered the army to retreat before the on-marching Santa Anna. The great victory of the Texans at the Battle of San Jacinto (April 21) and the capture of Santa Anna virtually ended the revolution. Santa Anna quickly agreed to have hostilities cease at once, to send his troops across the border and to induce Mexico to recognize Texas independence: he was promised a safe return to Mexico, but was held prisoner for months and was finally sent to President Andrew Jackson at Washington, who gave him safe escort home.

## SUPPLEMENTARY READING

See also "*With the Makers of Texas*," by Bolton and Barker, pages 159-218.

"*Texas*," by Dr. George P. Garrison.

**Extract from Governor Smith's address to the people of Texas.—**

*"Fellow Citizens of Texas:*

"The enemy are upon us. A strong force surrounds the walls of the Alamo and threatens that garrison with the sword. Our country imperiously demands the service of every patriotic arm, and longer to continue in a state of apathy will be criminal. Citizens of Texas! descendants of Washington! awake! arouse yourselves! The question is now to be decided: are we to continue freemen, or bow beneath the rod of military despotism? Shall we, without a struggle, sacrifice our fortunes, our liberties, and our lives, or shall we imitate the example of our forefathers, and hurl destruction on the heads of our oppressors? The eyes of the world are upon us! All friends of liberty and the rights of man are anxious spectators of our conflict, or are enlisted in our cause. Shall we disappoint their hopes and their expectations? No! Let us at once fly to arms, march to the battle-field, meet the foe, and give renewed evidence to the world that the arms of freemen, uplifted in defense of their liberties and rights, are irresistible. 'Now is the day and now is the hour' that Texas expects every man to do his duty. Let us show ourselves worthy to be free, and we shall be free!"



THE UNANIMOUS  
DECLARATION OF INDEPENDENCE  
MADE BY THE  
DELEGATES OF THE PEOPLE OF TEXAS  
IN GENERAL CONVENTION  
AT THE TOWN OF WASHINGTON  
ON THE 2ND DAY OF MARCH 1836  
GEORGE C. CHILDRESS, AUTHOR.

When a government has ceased to protect the lives, liberty and property of the people, from whom its legitimate powers are derived, and for the advancement of whose happiness it was instituted, and, so far from being a guarantee for the enjoyment of those inestimable and inalienable rights, becomes an instrument in the hands of evil rulers for their oppression: When the Federal Republican Constitution of their country, which they have sworn to support, no longer has a substantial existence, and the whole nature of their government has been forcibly changed, without their consent, from a restricted federated republic, composed of sovereign states, to a consolidated, central, military despotism, in which every interest is disregarded but that of the army and the priesthood—both the eternal enemies of civil liberty, the ever-ready minions of power, and the usual instruments of tyrants: When, long after the spirit of the constitution has departed, moderation is, at length, so far lost by those in power that even the semblance of freedom is removed, and the forms, themselves, of the constitution discontinued; and so far from their petitions and remonstrances being regarded the agents who bear them are thrown into dungeons; and mercenary armies sent forth to force a new government upon them at the point of the bayonet: When in consequence of such acts of malfeasance and abdication, on the part of the government, anarchy prevails, and civil society is dissolved into its original elements. In such a crisis, the first law of nature, the right of self-preservation—the inherent and inalienable right of the people to appeal to first principles and take their political affairs into their own hands in extreme cases—enjoins it as a right towards themselves and a sacred obligation to their posterity to abolish such government

and create another, in its stead, calculated to rescue them from impending dangers, and to secure their future welfare and happiness.

Nations, as well as individuals, are amenable for their acts to the public opinion of mankind. A statement of a part of our grievances is, therefore, submitted to an impartial world, in justification of the hazardous but unavoidable step now taken of severing our political connection with the Mexican people, and assuming an independent attitude among the nations of the earth.

The Mexican government, by its colonization laws, invited and induced the Anglo-American population of Texas to colonize its wilderness under the pledged faith of a written constitution that they should continue to enjoy that constitutional liberty and republican government to which they had been habituated in the land of their birth, the United States of America. In this expectation they have been cruelly disappointed, inasmuch as the Mexican nation has acquiesced in the late changes made in the government by General Antonio Lopez de Santa Anna, who, having overturned the constitution of his country, now offers us the cruel alternative either to abandon our homes, acquired by so many privations, or submit to the most intolerable of all tyranny, the combined despotism of the sword and the priesthood.

It has sacrificed our welfare to the state of Coahuila, by which our interests have been continually depressed through a jealous and partial course of legislation carried on at a far distant seat of government, by a hostile majority, in an unknown tongue; and this too, notwithstanding we have petitioned in the humblest terms, for the establishment of a separate state government, and have, in accordance with the provisions of the national constitution, presented to the general Congress a republican constitution which was, without just cause contemptuously rejected.

It incarcerated in a dungeon, for a long time, one of our citizens, for no other cause but a zealous endeavor to procure the acceptance of our constitution and the establishment of a state government.

It has failed, and refused to secure, on a firm basis, the right of trial by jury, that palladium of civil liberty, and only safe guarantee for the life, liberty, and property of the citizen.

It has failed to establish any public system of education, al-

though possessed of almost boundless resources (the public domain) and, although, it is an axiom, in political science, that unless a people are educated and enlightened it is idle to expect the continuance of civil liberty, or the capacity for self-government.

It has suffered the military commandants stationed among us to exercise arbitrary acts of oppression and tyranny; thus trampling upon the most sacred rights of the citizen and rendering the military superior to the civil power.

It has dissolved by force of arms, the State Congress of Coahuila and Texas, and obliged our representatives to fly for their lives from the seat of government; thus depriving us of the fundamental political right of representation.

It has demanded the surrender of a number of our citizens, and ordered military detachments to seize and carry them into the interior for trial; in contempt of the civil authorities, and in defiance of the laws and the constitution.

It has made piratical attacks upon our commerce, by commissioning foreign desperadoes, and authorizing them to seize our vessels, and convey the property of our citizens to far distant ports for confiscation.

It denies us the right of worshipping the Almighty according to the dictates of our own conscience; by the support of a national religion calculated to promote the temporal interests of its human functionaries rather than the glory of the true and living God.

It has demanded us to deliver up our arms, which are essential to our defense, the rightful property of freemen, and formidable only to tyrannical governments.

It has invaded our country, both by sea and by land, with intent to lay waste our territory and drive us from our homes; and has now a large mercenary army advancing to carry on against us a war of extermination.

It has, through its emissaries, incited the merciless savage, with the tomahawk and scalping knife, to massacre the inhabitants of our defenseless frontiers.

It hath been, during the whole time of our connection with it, the contemptible sport and victim of successive military revolutions, and hath continually exhibited every characteristic of a weak, corrupt, and tyrannical government.

These, and other grievances, were patiently borne by the people of Texas until they reached that point at which forbearance ceased to be a virtue. We then took up arms in defence of the national constitution. We appealed to our Mexican brethren for assistance. Our appeal has been made in vain. Though months have elapsed, no sympathetic response has yet been heard from the Interior. We are, therefore, forced to the melancholy conclusion that the Mexican people have acquiesced in the destruction of their liberty, and the substitution therefor of a military government—that they are unfit to be free and are incapable of self-government.

The necessity of self-preservation, therefore, now decrees our eternal political separation.

We, therefore, the delegates, with plenary powers, of the people of Texas, in solemn convention assembled, appealing to a candid world for the necessities of our condition, do hereby resolve and declare that our political connection with the Mexican nation has forever ended; and that the people of Texas do now constitute a free sovereign and independent republic, and are fully invested with all the rights and attributes which properly belong to independent nations; and, conscious of the rectitude of our intentions, we fearlessly and confidently commit the issue to the decision of the Supreme Arbiter of the destinies of nations.

*Richard Ellis Brinson*  
*of the Convention's Delegate*  
*from New River*  
*County, North*  
*Carolina*  
*Charles B. Stewart*  
*Thos. Barnett* } *Edwin Waller*

<u>John P. Byron</u>	Geo. C. Childress
<u>Franco Muir</u>	Barly Hardeman
	Rob. Potter
<u>Thomas H. Hagan</u>	Thomas Jefferson Burr
<u>Isa. B. Badger</u>	<u>Wm. F. Taylor</u>
<u>Wm. D. Lacy</u>	<u>John A. Roberts</u>
<u>William H. Hagan</u>	<u>Robert Burnett</u>
<u>Mr. Fisher</u>	<u>Colin McKinney</u>
<u>Matthew Cleburne</u>	<u>Albert B. Lintner</u>
<u>William Mottley</u>	<u>James Cannon</u>
<u>Lorenzo de Zavala</u>	<u>Sam Houston</u>
<u>Stephen H. Overell</u>	<u>David Thomas</u>
<u>Geo. W. Smith</u>	<u>Edw. Corns</u>
<u>Elijah P. Stapp</u>	<u>Martin Paruder</u>
<u>Clairborne West</u>	<u>Edwin C. LeGrand</u>
<u>Wm. B. Scates</u>	<u>Stephen W. Blount</u>
<u>M. B. Menard</u>	<u>J. A. Guiney</u>
<u>A. B. Hardin</u>	<u>Wm. Clark, Jr.</u>
<u>J. W. Buntan</u>	<u>Sydney &amp; Pennington</u>
<u>Thos. Farley</u>	<u>Wm. Carroll Bradford</u>
<u>R. M. Coleman</u>	<u>Geo. Turner</u>
<u>Stirling &amp; Robinson</u>	

Ben. Briggs Goodrich

G. W. Barnett

James S. Sursher

Isaac Grimes

"  
I. Rhoads Fisher

John W. Moore

John W. Bower

Just  
James A. Maverick from Bejant

Amos Carson

A. Briscoe

W. Woods

Just. H. S. Kinable Printing



**Letter from Santa Anna to Filisola, General of Division.—**

“ARMY OF OPERATIONS,

“CAMP AT SAN JACINTO, April 22, 1836.

*“His Excellency, Don Vicente Filisola, General of Division:*

“EXCELLENT SIR:—Having yesterday evening, with the small division under my immediate command, had an encounter with the enemy which, notwithstanding I had previously taken all possible precautions, proved unfortunate, I am, in consequence, a prisoner in the hands of the enemy. Under these circumstances your Excellency will order General Guano, with his division, to countermarch to Bexar and wait for orders. Your Excellency will also, with the division under your command, march to the same place. The division under command of General Urrea will retire to Guadalupe Victoria. I have agreed with General Houston for an armistice, until matters can be so regulated that the war will cease forever.

“Your Excellency will take proper steps for the support of the army, which, from this time, remains under your command, using the moneys lately arrived from Matamoras, the provisions on hand there, as well as in Victoria, and also the twenty thousand dollars withdrawn from Bexar, and now in that treasury.

“I hope your Excellency will, without failure, comply with these dispositions—advising me, by return of the couriers, that you have already commenced their execution. God and Liberty.

“ANTONIO LOPEZ DE SANTA ANNA.”

**Extracts from General Houston's official report of the Battle of San Jacinto.—**See Quarterly of the Texas State Historical Association, April, 1901.]

“HEADQUARTERS OF THE ARMY,

“SAN JACINTO, April 25, 1836.

*“To His Excellency, David G. Burnet, President of the Republic of Texas:*

“SIR:—I regret extremely that my situation, since the battle of the 21st, has been such as to prevent my rendering you my official report of the same previous to this time.

“I have the honor to inform you that on the evening of the 18th inst., after a forced march of fifty-five miles, the army arrived opposite Harrisburg. That evening a courier of the enemy

was taken, from whom I learned that General Santa Anna, with one division of choice troops, had marched in the direction of Lynch's Ferry on the San Jacinto, burning Harrisburg as he passed down.

"The army was ordered to be in readiness to march early on the next morning. The main body effected a crossing over Buffalo Bayou, below Harrisburg, on the morning of the 19th, having left the baggage, the sick, and a sufficient camp guard in the rear. We continued to march throughout the night, making but one halt in the prairie for a short time, and without refreshments. At daylight we resumed the line of march. In a short distance our scouts encountered those of the enemy, and we received information that General Santa Anna was at New Washington, and would that day take up the line of march for Anahuac, crossing at Lynch's Ferry. The Texan army halted within half a mile of the ferry in some timber and were engaged in slaughtering beeves, when the army of Santa Anna was discovered approaching in battle array. . . .

"About 9 o'clock on the morning of the 21st the enemy were reinforced by five hundred choice troops, under the command of General Cos; increasing their effective force to upwards of fifteen hundred men, whilst our aggregate force for the field numbered seven hundred and eighty-three.

"At half-past 3 o'clock in the evening I ordered the officers of the Texan army to parade their respective commands, having in the meantime ordered the bridge on the only road communicating with the Brazos, distant eight miles from our encampment, to be destroyed, thus cutting off all possibility of escape. Our troops paraded with alacrity and spirit, and were anxious for the contest. The conscious disparity in numbers seemed only to increase their enthusiasm and confidence, and heighten their anxiety for the conflict. . . .

"Our cavalry was first dispatched to the front of the enemy's left, for the purpose of attracting notice, whilst an extensive island of timber afforded us an opportunity of concentrating our forces and deploying from that point. Every evolution was performed with alacrity, the whole advancing rapidly in line and through an open prairie, without any protection whatever for our men. The artillery advanced and took station within

two hundred yards of the enemy's breastwork, and commenced an effective fire with grape and cannister.

"Colonel Sherman with his regiment having commenced the action upon our left wing, the whole line advancing in double-quick time, rung the war cry, "Remember the Alamo!" received the enemy's fire, and advanced within point blank shot before a piece was discharged from our lines.

"The conflict lasted about eighteen minutes from the time of close action until we were in possession of the enemy's encampment. We took one piece of cannon (loaded), four stands of colors, all their camp equipage, stores, and baggage. Our cavalry had charged and routed that of the enemy upon the right, and given pursuit to the fugitives, which did not cease until they arrived at the bridge which I had mentioned. . . . The conflict in the breastwork lasted but a few moments. Many of the troops encountered hand to hand, and not having the advantage of bayonets on our side, our riflemen used their pieces as war clubs, breaking many of them off at the breech.

"The rout commenced at half-past four, and the pursuit by the main army continued until twilight. A guard was then left in charge of the enemy's encampment, and our army returned with their killed and wounded. In the battle our loss was two killed and twenty-three wounded, six of them mortally. The enemy's loss was six hundred and thirty killed . . .; wounded, two hundred and eight . . .; prisoners, seven hundred and thirty.

"About six hundred muskets, three hundred sabres and two hundred pistols have been collected since the action. Several hundred mules and horses were taken, and near twelve thousand dollars in specie. . . . We should not withhold the tribute of our grateful thanks from that Being who rules the destinies of nations, and has in the time of greatest need enabled us to arrest a powerful invader, whilst devastating our country.

"I have the honor to be, with high consideration,

Your obedient servant,

SAM HOUSTON,  
Commander-in-Chief.

Extracts from Santa Anna's Report of the Battle of San Jacinto to the Minister of War and Marine, dated March 11, 1837.—*Texas Quarterly*, April, 1901, p. 264.)

"The morning of the 19th, I sent Captain Barragan, with some dragoons, to a point on the Lynchburg road, three leagues distant from New Washington, in order that he should watch and communicate to me, as speedily as possible, the arrival of Houston: and, on the 20th, at eight o'clock in the morning, he informed me that Houston had just got to Lynchburg. It was with the greatest joy that all the individuals belonging to the corps, then under my immediate orders, heard the news.

"At my arrival, Houston was in possession of a wood on the margin of Buffalo bayou, which, at that point, empties itself into the San Jacinto creek. *His situation rendered it indispensable to fight*; and my troops manifested so much enthusiasm, that I immediately began the battle. Houston answered our firing, but refused to come out of the cover of the wood. I wished to draw him into a field of battle suited to my purpose, and in consequence withdrew about one thousand yards distant, to an eminence affording a favorable position, with abundance of water on my rear, a thick wood on my right, and a large plain on my left. Upon my executing this movement, the enemy's fire increased, particularly that of his artillery. . . . About one hundred cavalry sallied out of the wood, and boldly attacked my escort, which was posted on the left, causing it to fall back for a few moments and wounding a dragoon. I commanded two companies of cazadores to attack them, and they succeeded in repelling them into the wood.

"It was now five in the evening, and our troops wanted rest and refreshment, which I permitted them to take. Thus was the remainder of the day spent. We lay on our arms all night, during which I occupied myself in posting my forces to the best advantage, and procuring the construction of a parapet to cover the position of our cannon. I had posted three companies in the wood on our right, the permanent battalion of Matamoras formed our body of battle in the centre, and on our left was placed the cannon, protected by the cavalry, and a column of select companies . . . , which composed the reserve.

"On the 21st, at nine in the morning, General Cos arrived, with

four hundred men, . . . having left one hundred men under the orders of Colonel Muriano Garcia, with their loads in a swampy place near Harrisburg; and these never joined me. I then saw that my orders had been contravened; for I had asked five hundred select infantry, and they sent me raw recruits, who had joined the army at San Luis Potosi and Saltillo.. I was highly displeased with this act of disobedience, and considered the new reinforcement as trifling, whereas I had before its arrival entertained well-founded hopes of gaining some decisive advantage *with the new succor, which was to have given me the superiority of numbers*. I disposed myself, however, to take advantage of the favorable disposition which I had perceived in our soldiers on the arrival of General Cos; but the latter represented to me that having made a forced march in order to reach my camp early, his troops had neither eaten nor slept during twenty-four hours, and that while the baggage was coming up, which it would do within two more hours, it was indispensable to grant some refreshment to the soldiers. I consented to it, but in order to keep a watch over the enemy and protect the said baggage, I posted my escort in a favorable place, reinforcing it with thirty-two infantry, mounted on officers' horses. Hardly one hour had elapsed since that operation, when General Cos begged me, in the name of Don Miguel Aguirre, the commander of the escort, that I would permit his soldiers to water their horses, which had not drunk for twenty-four hours, and let the men take some refreshment. Being moved by the pitiable tone in which this request was made, I consented, commanding at the time that Aguirre and his men should return to occupy their position as soon as they should have satisfied their necessities; and his disobedience to this order concurred to favor the surprise which the enemy effected.

"Feeling myself exceedingly fatigued from having spent the whole morning on horseback, and the preceding night without sleep, I lay down under the shade of some trees, while the soldiers were preparing their meal. Calling General Castrillon, who acted as major-general, I recommended him to be watchful and to give me notice of the least movement of the enemy, and also to inform me when the repast of the soldiers would be over, because it was urgent to act in a decisive manner.

"I was in a deep sleep when I was awakened by the firing

and noise; I immediately perceived we were attacked, and had fallen into frightful disorder. The enemy had surprised our advance posts. One of their wings had driven away the three companies . . . posted in the wood on our right, and from among the trees were now doing much execution with their rifles. The rest of the enemy's infantry attacked us in front with two pieces of cannon, and their cavalry did the same on our right.

"Although the mischief was already done, I thought I could repair it, and with that view sent the battalion of Aldama to reinforce the line of battle formed by that of Matamoras, and organized a column of attack under the orders of Don Miguel Cespedes, composed of the permanent battalion of Guerrero, and the piquets of Toluca and Guadalajara, which moved to the front with the company of Lieutenant-Colonel Luelmo, in order to check the advance of the enemy; but my efforts were vain. The line was abandoned by the two battalions that were covering it; and notwithstanding the fire of our cannon, the two columns were thrown into disorder, Colonel Cespedes being wounded and Colonel Luelmo killed. General Castrillon, who ran to and fro to reëstablish order in our ranks, fell mortally wounded; and the new recruits threw everything into confusion, breaking their ranks and preventing the veterans from making use of their arms, whilst the enemy was rapidly advancing with loud hurrahs, and in a few minutes obtained a victory which they could not, some hours before, even have dreamed of.

"All hopes being lost, and every one flying as fast as he could, I found myself in the greatest danger, when a servant of my aide-de-camp, Colonel Don Juan Bringas, offered me his horse, and with the tenderest and most urging expressions insisted upon my riding off the field. I looked for my escort, and two dragoons, who were hurriedly saddling their horses, told me that their officers and fellow-soldiers had all made their escape. I remembered that General Filisola was only seventeen leagues off, and I took my direction towards him, darting through the enemy's ranks. They pursued me, and after a ride of one league and a half, overtook me on the banks of a large creek, the bridge over which was burned by the enemy *to retard our pursuit*. I alighted from my horse and with much difficulty succeeded in concealing myself in a thicket of dwarf pines. Night coming on, I escaped them, and the hope of reaching the army



gave me strength. I crossed the creek with the water up to my breast and continued my route on foot. I found, in a house which had been abandoned, some articles of clothing, which enabled me to change my apparel. At eleven o'clock a. m., while I was crossing a large plain, my pursuers overtook me again. Such is the history of my capture. On account of my change of apparel, they did not recognize me, and inquired whether I had seen Santa Anna? To this I answered that he had made his escape; and this answer saved me from assassination, as I have since been given to understand."

**Extracts from Colonel Delgado's Account of the Battle of San Jacinto.**— (Colonel Delgado was a Mexican officer.) [See Bolton and Barker's *"With the Makers of Texas,"* page 193.]

"At daybreak on the 21st, His Excellency (Santa Anna) ordered a breastwork to be erected for the cannon. It was constructed with pack-saddles, sacks of hard bread, baggage, etc. A trifling barricade of branches ran along its front and right.

"At 9 o'clock a. m. General Cos came in with reinforcements of about 500 men. His arrival was greeted with the roll of drums and with joyful shouts. As it was represented to His Excellency that these men had not slept the night before, he instructed them to stack their arms, to remove their accoutrements, and to go to sleep quietly in the adjoining grove.

"No important incident took place until 4:30 p. m. At this fatal moment, the bugler on our right signaled the advance of the enemy upon that wing. His Excellency and staff were asleep; the greater number of the men were also sleeping; of the rest, some were eating, others were scattered in the woods in search of boughs to prepare shelter. Our line was composed of musket stacks. Our cavalry were riding, bareback, to and from water.

"I stepped upon some ammunition boxes, the better to observe the movements of the enemy. I saw that their formation was a mere line in one rank, and very extended. In their center was the Texas flag; on both wings, they had two light cannons, well manned. Their cavalry was opposite our front, overlapping our left.

"In this disposition, yelling furiously, with a brisk fire of grape, muskets, and rifles, they advanced resolutely upon our camp. There the utmost confusion prevailed. General Castrillon

shouted on one side; on another Colonel Almonte was giving orders; some cried out to commence firing; others to lie down to avoid grape shots. Among the latter was His Excellency.

"Then, already, I saw our men flying in small groups, terrified, and sheltering themselves behind large trees. I endeavored to force some of them to fight, but all efforts were in vain—the evil **was** beyond remedy; they were a bewildered and panic-stricken herd.

"Then I saw His Excellency running about in the utmost excitement, wringing his hands, and unable to give an order. General Castrillon was stretched on the ground, wounded in the leg. Colonel Trevino was killed, and Colonel Marcial Aguirre was severely injured. I saw also the enemy reaching the ordnance train, and killing a corporal and two gunners who had been detailed to repair cartridges which had been damaged on the previous evening.

"Everything being lost, I went—leading my horse, which I could not mount, because the firing had rendered him restless and fractious—to join our men, still hoping that we might be able to defend ourselves, or to retire under the shelter of night. This, however, could not be done. It is a known fact that Mexican soldiers, once demoralized, can not be controlled, unless they are thoroughly inured to war.

"On the left, and about a musket-shot distance from our camp, was a small grove on the bay shore. Our disbanded herd rushed for it, to obtain shelter from the horrid slaughter carried on all over the prairie by the bloodthirsty usurpers. Unfortunately, we met on our way an obstacle very difficult to overcome. It was a bayou, not very wide, but rather deep. The men, on reaching it, would helplessly crowd together, and were shot down by the enemy, who was close enough not to miss his aim. It was there that the greatest carnage took place.

"Upon reaching that spot, I saw Colonel Almonte swimming across the bayou with his left hand, and holding up his right, which grasped his sword.

"I stated before that I was leading my horse, but, in this critical situation, I vaulted on him, and, with two leaps, he landed me on the opposite bank of the bayou. To my sorrow I had to leave the noble animal, mired, at that place, and to part with him, probably forever. As I dismounted, I sank in the mire

waist deep, and I had the greatest trouble to get out of it, by taking hold of the grass. Both my shoes remained in the bayou. I made an effort to recover them, but I soon came to the conclusion that, did I tarry there, a rifle shot would certainly make an outlet for my soul, as had happened to many a poor fellow around me. Thus I made for the grove, barefooted.

"There I met a number of other officers, with whom I wandered at random, buried in gloomy thoughts upon our tragic disaster. We still entertained a hope of rallying some of our men, but it was impossible.

"The enemy's cavalry surrounded the grove, while his infantry penetrated it, pursuing us with fierce and bloodthirsty feelings. Thence they marched us to their camp."

**Joel W. Robinson's Story of the Capture of Santa Anna.**—(Bolton and Barker's "With the Makers of Texas," page 198.)

"I was one of a detachment of thirty or forty men commanded by Colonel Burleson, which left the encampment of the Texas army at sunrise of the morning after the battle of San Jacinto, to pursue the fugitive enemy. Most of us were mounted on horses captured from the Mexicans. . . .

"Colonel Burleson with the greater part of our detachment went up to Vince's Bayou—but six of us, to wit, Sylvester, Miles, Vermillion, Thompson, another man whose name I have forgotten [Bostwick], and myself, proceeded a short distance farther down the bayou, but, not finding any Mexicans, turned our course toward camp. About two miles east of Vince's Bayou, the road leading from the bridge to the battle-ground crossed a ravine a short distance below its source. As we approached this ravine we discovered a man standing in the prairie near one of the groves. He was dressed in citizen's clothing, a blue cottonade frock coat and pantaloons. I was the only one of our party who spoke any Spanish. I asked the prisoner various questions, which he answered readily. In reply to the question whether he knew where Santa Anna and Cos were, he said he presumed they had gone to the Brazos. He said he was not aware that there were any of his countrymen concealed near him, but said there might be in the thicket along the ravine.

"Miles mounted the prisoner on his horse and walked as far

as the road—about a mile. Here he ordered the prisoner to dismount, which he did with great reluctance. He walked slowly and apparently with pain. Miles, who was a rough, reckless fellow, was carrying a Mexican lance which he had picked up during the morning. With this weapon he occasionally slightly pricked the prisoner to quicken his pace, which sometimes amounted to a trot. At length he stopped and begged permission to ride—saying that he belonged to the cavalry and was unaccustomed to walking. We paused and deliberated as to what should be done with him. I asked him if he would go on to our army if left to travel at his leisure. He replied that he would. Miles insisted that the prisoner should be left behind, but said that if he were left, he would kill him.

“At length my compassion for the prisoner moved me to mount him behind me. I also took charge of his bundle. He was disposed to converse as we rode along; asked me many questions, the first of which was, ‘Did General Houston command in person in the action of yesterday?’ He also asked how many prisoners we had taken and what we were going to do with them. When, in answer to an inquiry, I informed him that the Texan force in the battle of the preceding day was less than eight hundred men, he said I was surely mistaken—that our force was certainly much greater. In turn, I plied the prisoner with divers questions. I remember asking him why he came to Texas to fight against us, to which he replied that he was a private soldier, and was bound to obey his officers. I asked him if he had a family. He replied in the affirmative, but when I inquired, ‘Do you expect to see them again?’ his only answer was a shrug of the shoulders.

“We rode to that part of the camp where the prisoners were kept, in order to deliver our trooper to the guard. What was our astonishment, as we approached the guard, to hear the prisoners exclaiming, ‘El Presidente! El Presidente!’ (The President, the President!) by which we were made aware that we had unwittingly captured the ‘Napoleon of the West.’ The news spread almost instantaneously through our camp, and we had scarcely dismounted ere we were surrounded by an excited crowd. Some of our officers immediately took charge of the illustrious captive and conducted him to the tent of General Houston.”

**The Runaway Scrape: Extracts from Journal of Mrs. Dilue Harris.**—(Quarterly Texas State Historical Association, October, 1900–January, 1901.)

“The people had been in a state of excitement during the winter. They knew that Colonel Travis had but few men to defend San Antonio. I remember when his letter came calling for assistance. He was surrounded by a large army, with General Santa Anna in command, and had been ordered to surrender, but fought till the last man died. I was nearly eleven years old, and remember well the hurry and confusion.

“By the 20th of February the people of San Patricio and other western settlements were fleeing for their lives. . . . Father finished planting corn. He had hauled away a part of our household furniture and other things and hid them in the bottom. Mother had packed what bedding, clothes, and provisions she thought we should need, ready to leave at a moment’s warning, and father had made arrangements with a Mr. Bundick to haul our family in his cart. But we were confident that the army under General Houston would whip the Mexicans before they reached the Colorado River.

“On the 12th of March came the news of the fall of the Alamo. A courier brought a dispatch from General Houston for the people to leave. Colonel Travis and the men under his command had been slaughtered. The Texas army was retreating, and President Burnet’s cabinet had gone to Harrisburg.

“Then began the horrors of the ‘Runaway Scrape.’ We left home at sunset, hauling clothes, bedding, and provisions on the sleigh with one yoke of oxen. Mother and I were walking, she with an infant in her arms. Brother drove the oxen, and my two little sisters rode in the sleigh. We were going ten miles to where we could be transferred to Mr. Bundick’s cart.

“We met Mrs. M. She was driving her oxen home. We had sent her word in the morning. She begged mother to go back and help her, but father said no. He told the lady to drive the oxen home, put them in the cow pen, turn out the cows and calves, and get her children ready, and he would send assistance.

“We went on to Mrs. Roark’s, and met five families ready to leave. We shifted our things into the cart of Mr. Bundick, who was waiting for us, and tried to rest till morning. Sister and I had been weeping all day about Colonel Travis,

"Early next morning we were on the move, mother with her four children in the cart, and Mr. Bundick and his wife and negro woman on horseback. We camped the first night near Harrisburg, about where the railroad depot now stands. Next day we crossed Vince's Bridge, and arrived at the San Jacinto in the night. There were fully five thousand people at the ferry. . . . Father and Mr. Bundick were the only white men in the party, the others being in the army. There were twenty or thirty negroes from Stafford's plantation. They had a large wagon with five yoke of oxen, and horses and mules, and they were in charge of an old negro man called Uncle Ned. Altogether, black and white, there were about fifty of us. Every one was trying to cross first, and it was almost a riot.

"We got over the third day, and after traveling a few miles came to a big prairie. It was about twelve miles further to the next timber and water, and some of our party wanted to camp; but others said that the Trinity River was rising, and if we delayed we might not get across. So we hurried on.

"When we got half way across the prairie Uncle Ned's wagon bogged. . . . The negro men put all the oxen to the wagon, but could not move it; so they had to stay there until morning without wood or water. Mother gathered the white children in our cart. They behaved very well and went to sleep, except one little boy, who kicked and cried till Uncle Ned came and carried him to the wagon. He slept that night in Uncle Ned's arms.

"The horrors of crossing the Trinity are beyond my powers to describe. One of my little sisters was very sick, and the ferryman said that those families that had sick children should cross first. When our party got to the boat the water broke over the banks above where we were and ran around us. We were several hours surrounded by water. Our family was the last to get to the boat. The sick child was in convulsions.

"When we landed the lowlands were under water, and everybody was rushing for the prairie. Father and mother hurried on, and we got to the prairie and found a great many families camped there. A Mrs. Foster invited mother to her camp, and furnished us with supper, a bed, and dry clothes. . . .

"The town of Liberty was three miles from where we camped.



The people there had not left their homes, and they gave us all the help in their power. My little sister that had been sick died and was buried in the cemetery at Liberty. After resting a few days our party continued their journey, but we remained in the town.

"We had been at Liberty three weeks, when one Thursday afternoon we heard a sound like distant thunder. When it was repeated, father said that it was cannon, and that the Texans and Mexicans were fighting. He had been through the war of 1812, and knew that it was a battle. The cannonading lasted only a few minutes, and father said the Texans must have been defeated, or the cannon would not have ceased firing so quickly. We left Liberty in half an hour.

"We traveled nearly all night. . . . We were as wretched as we could be; for we had been five weeks from home, and there was not much prospect of our ever returning. We had not heard a word from brother, mother was sick.

"Our journey continued through mud and water, and when we camped in the evening fifty or sixty young men came by who were going to join General Houston. . . .

"Suddenly we heard some one calling from the direction of Liberty. We could see that it was a man on horseback, waving his hat; and, as we knew there was no one left at Liberty, we thought the Mexicans had crossed the Trinity. The young men seized their guns, but when the rider got near enough for us to understand what he said, it was, 'Turn back! The Texans have whipped the Mexican army and the Mexicans are prisoners! No danger! No danger! Turn back!' When he reached camp he could scarcely speak, he was so excited and out of breath.

"The man showed father a dispatch from General Houston, giving an account of the battle and saying that it would be safe for the people to return to their homes. . . . He was an Irishman and had once been an actor. During the night he told many incidents of the battle, as well as of the retreat of the Texan army, and he acted them so well that there was little sleeping in camp that night. The first time that mother laughed after the death of my little sister was at his description of General Houston's helping to get a cannon out of the bog."

## HISTORICAL RECREATIONS

(1) A LYCEUM MEETING—the programme of which shall consist entirely of matter relating to Texas history. March 1st or April 20th, the days preceding our spring holidays, would be the most appropriate time. A special effort should be made to induce the parents to be present.

(2) DEBATES.—*Resolved*: That Santa Anna should have been tried by court-martial and, if found guilty, publicly executed.

*Resolved*: That it is the right and the duty of the State to appropriate public money to erect monuments over her dead heroes.

*Resolved*: That Texas may with justice be accused of ingratitude toward her distinguished dead.

(3) CONVERSATION TOPICS.—Who is your favorite character among the men of this era? Why?

What is the most heroic act described in this era? The most despicable act?

Are the Texans of to-day as brave as those of '35 and '36?

(4) Let one or two pupils write the names of a number of noted Texans on separate slips of paper, and place these slips in a hat. One pupil then draws a slip, reads the name, and tells what he can of the person; if, when he has finished, no one wishes to add anything concerning the person, he keeps the slip, but if another pupil supplies anything omitted by the first speaker, then the last speaker takes the slip. This is continued until all the class have been called upon to draw a name; the one holding the greatest number of slips is declared victor.

(5) HISTORY MATCH.—The leader on one side calls out a name, as "Fannin"; the leader on the other side answers by naming some historical event with which Fannin was connected, as the "Massacre of Goliad." The second leader then gives a name, and so the exercise is continued. If a pupil gives a name already mentioned he must take his seat.

(6) Imagine yourself to be a Mexican captured at San Jacinto; write a letter to your family telling of the battle, of your capture, of your fears as to your treatment, and whether these fears were realized.

(7) Write a letter from a Texas soldier to a friend in Georgia describing the capture of Santa Anna; picture the joy and excitement that prevailed among the army, and state what you expect will be done with him.

(8) Let each pupil memorize and recite his favorite passage from the extracts given.

### SEARCH QUESTIONS

Who called himself the "Napoleon of the West?"

What is a *grito*? (See note 5, Era IV.)

Who gave up his home as a hospital for the sick and wounded Texans?

Name all the towns you can that bear the names of noted Texans?

What is a hacienda?

What famous Texan lived to be 83 years old?

Who allowed himself to be held captive by his own men and officers?

What holidays has a Texas school-boy that a Virginia school-boy does not have?

Who are the "Daughters of the Republic?"

Who was Farias?

Can you name any living descendants of the heroes of the Texas Revolution?

Why was Austin imprisoned?

Whom do you blame for the massacre at Goliad?

Who resigned the governorship of a state and went to live among the Indians?

When did a general take the gunner's place in firing a cannon?

Why was Mexico unwilling to sell Texas?

What public man was killed by the accidental discharge of his own pistol?

Who said: "I'd rather measure deer tracks than tape"?

To whom does the Alamo belong?

Whose property is the battle-field of San Jacinto?

What and where were Zacatecas, Copano, Tamaulipas, Coleta, Concepción, Matamoras, Harrisburg, and San Jacinto?

How long did the Texas Revolution continue?

Where is Milam's grave? Is there a monument in his honor?

What is meant by "The Grays"? "The Twin Sisters"?

Who was "the hero of 30 battles, who was never known to retreat"?

Why was the "Grass Fight" so called?

Give names and inscriptions on the old Alamo monument.

Who felt that the Lord had called him to be a member of Congress?

The portraits of what revolutionary heroes are in our Capitol?

Name five Mexican commanders.

Name ten Texas commanders.

What is Palm Sunday? What horrible event happened on that day?

Who first raised the cry: "Remember the Alamo"?

#### CHRONOLOGICAL SUMMARY

- 1830. 1.—Decree, forbidding Americans to settle in Texas (April 6).
- 1831. 1.—Bradburn's tyranny.  
2.—Ports blockaded.  
3.—Texans meet at Brazoria.
- 1832. 1.—Santa Anna pronounces against Bustamante.  
2.—Bradburn imprisons colonists.  
3.—Turtle Bayou Resolutions (June 13).  
4.—Battle of Velasco (June).  
5.—General Mejía sent to Texas (June).  
6.—Convention at San Felipe (October).  
7.—Pedraza made President by Bustamante and Santa Anna (December).
- 1833. 1.—Second Convention at San Felipe (April).  
2.—Austin goes to Mexico to present the Memorial.  
3.—Santa Anna becomes President.  
4.—Austin imprisoned.
- 1834. 1.—The decree of 1830 repealed.  
2.—Santa Anna becomes Dictator.
- 1835. 1.—De Zavala takes refuge in Texas.  
2.—Troubles at Anahuac.  
3.—General Cos enters Texas.  
4.—Austin returns to Texas.

- 5.—Skirmish at Gonzales (October 2).
- 6.—Capture of Goliad.
- 7.—Battle of Concepción (October 28).
- 8.—General Consultation (November 3).
- 9.—Henry Smith made Governor; J. W. Robinson, Lieutenant-Governor.
- 10.—Austin, Wharton, and Archer sent as Commissioners to the United States.
- 11.—Burleson elected commander of the army (November 24).
- 12.—Grass Fight.
- 13.—Bexar (San Antonio) stormed and captured (December 5-9).
- 14.—Milam's death (December 7).
1836. 1.—Legislature tries to depose Governor Smith (January).
- 2.—Santa Anna prepares to invade Texas.
- 3.—Siege and fall of the Alamo (February 22-March 6).
- 4.—Declaration of Independence (March 2).
- 5.—Burnet made President; De Zavala Vice-President.
- 6.—Battle of the Coleto.
- 7.—Massacre at Goliad (March 27).
- 8.—Santa Anna penetrates into the interior of Texas.
- 9.—Houston's retreat.
- 10.—Battle of San Jacinto (April 21).
- 11.—Capture of Santa Anna (April 22).
- 12.—Mexican troops withdrawn.
- 13.—Treaties with Santa Anna.
- 14.—Houston, President; Lamar, Vice-President.
- 15.—Santa Anna released.

# ERA V

## ERA OF THE REPUBLIC

(1836-1846)

[For footnotes see page 330]

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### RECOGNITION BY THE UNITED STATES

AND

### FIRST STAGE OF ANNEXATION MOVEMENT

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#### HOUSTON'S ADMINISTRATION

(1836-1838)

[*Mirabeau Lamar, Vice President*]

**Houston's Election.**—Up to this time the President of the Republic had been merely a provisional officer, not one selected by the people, but in September, 1836, the people were called on to elect a regular president, a vice-president, senators and representatives. They were also to vote upon annexation to the United States, the adoption of the Constitution prepared by the Convention of March, and the right of the first Congress to make changes in the Constitution. The election resulted in an overwhelming majority for annexation and for the Constitution, but against the right of Congress to alter or to amend the Constitution. The candidates for the Presidency were Stephen F. Austin, Sam Houston and Henry Smith. The victory at San Jacinto made Houston the idol of the people and won for him the first place in the young Republic. Mirabeau Lamar was elec-



ted Vice-President. The first President was to serve two years, after which the term of office was to be three years. Senators were elected for three years, and representatives for one year.

**The First Congress** of the Republic of Texas met October 3, at Columbia on the Brazos, about two miles west of the present town of that name. The two houses went to work, with patriotic zeal, to overcome the difficulties they had to face. (Richard Ellis was chosen President, *pro tempore*, of the Senate, and Ira Ingram, Speaker of the House.) On October 22, in the presence of Congress and many distinguished visitors, Houston and Lamar were inaugurated. After two and a half months of hard work, Congress adjourned to meet May, 1837, in the city of Houston, which had just been laid off into town lots.

**Death of Zavala.**—On November 15, at his country home on the San Jacinto, the “gentleman, patriot, and scholar,” Lorenzo de Zavala breathed his last.

**Austin’s Death.**—Houston showed great wisdom in calling into his cabinet Stephen F. Austin as Secretary of State.<sup>1</sup> Austin’s first work was to prepare instructions for the Texas Minister to Washington, William H. Wharton. The government headquarters at Columbia were lacking in many comforts and in all luxuries. Austin labored constantly, for three days and nights, in a room without fire. He contracted a severe cold, which quickly developed into pneumonia. On December 27 he died. For two days his remains lay in state; then, attended by civil and military authorities, by sorrowing friends and loving kindred, the body was placed on board the vessel “Yellow Stone,” and borne to Peach Point (near Velasco), the home of his sister, Mrs. James F. Perry. Here, with military honors, was laid to rest the



*John Henderson*

"Father of Texas." In October, 1910, it was decided to remove the body to the state cemetery at Austin. Attended by the highest officers of state, by kinsmen proud to boast his blood, by thousands of school children, who love and honor his name, all that was mortal of this truly great man was consigned to its final resting place.

**Difficulties.**—The difficulties that beset Houston and Congress were numerous. The public debt was about a million and a quarter dollars, while the population was scarcely fifty thousand. Mexico had by no means given up her claim to Texas; the Mexican government declared the treaty made by Santa Anna void, and constantly threatened another invasion; the Mexican navy blockaded our ports and destroyed our commerce. The Texan army was idle in camp. Being impatient at not receiving the pay for which they had long waited, they were ready to find fault with every public official. The judicial affairs of the country were in a deplorable condition. The Indians were troublesome, as the Mexicans urged them to make war on the Texans.

**Congress Tries to Raise Money.**—No government can succeed without money, hence much time and labor were spent by Houston's administration trying to raise necessary funds. Congress issued land scrip at fifty cents per acre and placed agents in Mobile and in New Orleans to sell this scrip. A small direct tax and some import duties were levied. Half a million dollars in government notes were issued. President Houston was authorized to borrow \$5,000,000, giving bonds of Texas as security.

**Courts Organized.**—The Supreme Court was organized with James B. Collinsworth as the first Chief Justice. A system of lower courts was also organized.

**Important Laws Passed.**—Among the measures

passed while Houston was President, some of the most important were:

The establishment of a general land office and the appointing of land officers in every district.

Land laws that were expected to prevent fraud, to protect the helpless, to encourage immigrants and to unravel the tangle of conflicting claims that arose from the fact that public lands had been granted by so many different authorities.

The survey of all lands into sections of six hundred and forty acres.

The opening of post-offices and mail routes.

The claiming as Texas territory all land between the Sabine and the Rio Grande; the northern boundary extending to forty-two degrees. The exact boundary between the new Republic and the United States was to be settled by commissioners.

The dividing Texas into counties, using the former Mexican municipalities as the new counties.

**Mexico in Trouble.**—Trouble both at home and abroad kept Mexico so disturbed that she had no money and no army to invade Texas.

**The Texas Army.**—After the Battle of San Jacinto many volunteers from the United States joined the army, so that, there were now more than two thousand soldiers in camp. The army could not be disbanded so long as it was unpaid; there was no money in the treasury. Houston fell upon the wise plan of granting furloughs to most of the soldiers. In this way the army was reduced to a few small garrisons.

**An Unfortunate Duel.**—After Rusk retired from the command of the army, Felix Huston, who came to Texas after the battle of San Jacinto, was made Commander-in-Chief. In 1837 President Houston appointed General

Albert Sidney Johnston to supersede General Huston. Deeply offended at his treatment, and unwilling to give up the command after he had spent much money and labor in raising troops, Huston challenged Johnston; a duel followed in which Johnston was severely wounded. Huston remained in Texas many years, but finally returned to Mississippi.

### Independence of Texas Recognized by United

States.—The great majority of Texans wished not only that their independence should be recognized by the United States, but that Texas should be admitted to the Union. William H. Wharton and, at a later date, Memucan Hunt, were sent as special commissioners to Washington City. As a result of their efforts a resolution declaring Texas to be a free and in-



Albert Sidney Johnston

dependent country was introduced into the United States Senate, March 1, 1837, and passed by a small majority. The next day an effort was made to reconsider the matter, but failed, thus making March 2d a day to be doubly celebrated by Texans.

The question of annexation was then brought up, but met with little favor from the United States government. Houston instructed Anson Jones, then minister to the

United States, to withdraw the proposition of annexation.

**Lamar and Burnet.**—As the law made the President ineligible to succeed himself, Houston was not a candidate for reelection. In September, 1838, Mirabeau B. Lamar and David G. Burnet were elected President and Vice-President of the Republic.<sup>2</sup>

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RECOGNITION BY EUROPEAN POWERS  
MOVEMENT TO CRUSH INDIANS  
AND  
TO INTERFERE IN MEXICAN AFFAIRS

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LAMAR'S ADMINISTRATION <sup>3</sup>  
(1838-1841)

[*David G. Burnet, Vice-President*]

**European Nations Recognize Texas.**—In 1839, France officially recognized the independence of Texas and sent over Monsieur Saligny (sä-lī-nyē') as Minister.<sup>4</sup> In 1840, Holland and Belgium welcomed the young republic into the family of nations. England signed a treaty of commerce with Texas in 1840, and two years later greeted her as a separate government.

**Lamar's Indian Policy.**—While Houston believed in using all possible kindness toward the Indians, Lamar's policy was different; he thought force alone had influence upon the savages, and determined to use the sword unsparingly. The Ranger force, that had been organized during the Revolution, was now increased; from



that day to this the Rangers have done heroic service in protecting the frontier.

**The Cherokees Driven from their Homes.**— Flores and Córdova, said to be agents of the Mexican government, were continually stirring up the Cherokees in East Texas to make war upon the Texans. In a skirmish

Flores was killed and the despatches on his person revealed all the plans of the enemy. The Indians were bidden "not to cease to harass the enemy [the Texans] for a single day; to burn their habitations, to lay waste their fields, and to prevent their assembling in great number."



President Lamar

When it was known that the Cherokees had promised to carry out such orders as these, a vigorous campaign, in which Colonel Edward Burleson was a leading spirit, was waged against them. In July, 1839, the red men were defeated; their famous chief, Bowles, was killed, and the once proud tribe, now broken in strength and

spirit, was forced to give up their rich lands and seek other homes across Red River. Lamar and his supporters contended that the Cherokees had no just title to these lands, and, even if they had, that the title was forfeited when the Indians joined the Mexicans against the Texans. Others argued that the Cherokees had every right to their homes, and that they were not justly treated.<sup>5, 6</sup>

**Death of Comanche Chiefs or Council House Fight.**—The Comanches were a constant source of trouble and anxiety. The Texas officers invited twelve Comanche chiefs to come to San Antonio that a treaty might be agreed upon. The savages accepted the invitation and promised to bring with them their white captives. On March 19, 1840, sixty-five Comanches, including men, women and boys, entered San Antonio. The twelve chiefs met in the council-house with the Texas officials to consider the treaty. When asked for their prisoners they gave up only a young girl. The maiden said there were other captives; that the Indians had decided to give up only one or two at a time that the ransom obtained might be greater. The Texas leader, having first stationed a guard at all doors, ordered a squad of soldiers to enter the room, and then told the chiefs they would be held prisoners until the rest of the white captives were brought in. The chiefs tried to escape, weapons were drawn, and a struggle ensued, at the close of which every chief lay dead. A dreadful encounter took place outside the building; not only the Indian warriors, but even some of the squaws were killed.

**Struggle at Plum Creek and Comanche Village.**—The Comanches vowed vengeance on the whites, and right well did they keep their vow. Linnville (on Lavaca

Bay) was burned, the whole country about Victoria was raided. Harassed by every torture that savage cunning could devise, life became to the settlers of that section one constant terror. Finally (August, 1840), at Plum Creek beyond Gonzales the Indians were thoroughly defeated by General Felix Huston and Colonel Edward Burleson. In October Colonel John H. Moore and his company destroyed the entire Comanche village near the present Colorado City and killed more than one hundred and twenty-five men and women.

**The "Republic of the Rio Grande."**—Some of the leaders of the Federal party in Mexico tried (1839-1840) to unite the North Mexican States in a separate government to be called the Republic of the Rio Grande. They invited the Texans to join them and some one hundred and eighty did so. The bravery of these adventurous spirits did much to win victories for the Federalists, but these victories were fruitless, for the Republic of the Rio Grande proved an utter failure.

**Santa Fé Expedition.**—Texas claimed all lands east of the Rio Grande, but had never been able to establish her authority over the western part of this country. The people of New Mexico were said to be eager to throw off the rule of Mexico. Texas coveted the St. Louis trade Santa Fé carried on. With the approval of Lamar, but against the wishes of Congress, in June, 1841, a band of three hundred and twenty men started from a point near Austin for Santa Fé. President Lamar said the expedition was not one of war; its purposes were to open trade between Texas and New Mexico, to give the people an opportunity to unite themselves to Texas, and to explore the intervening country. Mexico believed the only true reason for the expedition was the desire of Texas to win

New Mexico, and that these adventurers were an invading army. On the long march to Santa Fé the Texans suffered all the tortures of hunger and thirst, were attacked by the Indians, and exposed to violent storms and prairie fires. When at last they reached their destination, they found the country roused against them and Mexican soldiers waiting to entrap them. One of their officers turned traitor, and surrendered them to the most savage of Mexican officers. After being in prison for a time, they were marched into Mexico and were forced to labor as a chain-gang. In 1842, the United States and the European powers secured the release of all the unfortunate party save one. Mexico was not to blame for being enraged at the whole of this most unwise expedition.

**Removal of Capital.**—As a majority of the legislature objected to Houston's remaining the capital, in 1839 a committee was appointed to select a new site. After carefully considering many places, the committee chose Austin. Though it was near the center of the geographical bounds of Texas, yet it was in an uninhabited region. The nearest settlement, Bastrop, was thirty-five miles distant. Toward the west there was no town nearer than San Antonio. Indians made frequent raids upon the infant city. Nothing daunted by all this, the brave pioneers with faith in the future development of their country went to work to build up a capital. In August, the first town lots were sold; by November, Congress and the officers of the Republic were settled in the new capital.<sup>6</sup> That the committee made a wise choice is proved by the fact that twice since that date the people have voted to retain Austin as the capital.

**Financial Troubles.**—The financial outlook grew gloomier each year. The laws passed in the previous

administration did not relieve matters. The sale of land scrip was poorly managed; the promissory notes issued by the Republic fell to twenty cents on the dollar. Though there was no money to pay even the necessary expenses, though the army had to be disbanded for lack of funds, yet the government was mapped out on an extravagant scale, the President being paid ten thousand dollars per year and many needless officers being employed. At the close of Houston's administration the public debt was nearly two million dollars while Lamar's term of office ended with a debt of about seven million five hundred thousand. European nations refused to lend money to a government whose outlay was greater than its income. A loan of two hundred and eighty thousand dollars was obtained from the United States Bank, but only sixty-two thousand of this got into the treasury, the balance being used for what seemed to be pressing expenses.

**President Lamar Finds an Educational System.**—As far back as the convention of 1832, the Texans asked from the legislature of Coahuila and Texas a grant of public land to be used for school purposes; the grant was not made. In their Declaration of Independence the Texans brought as a main charge against the Mexican government that it had failed to provide for public education. The Constitution of Texas bade Congress establish a system of free schools. President Lamar and Congress made a beginning of what is to-day the greatest blessing of Texas, a system of public free schools. In 1839 each county was granted three leagues of land for school purposes, and in 1840 another league was added, while fifty leagues were set apart for state university funds.

**Progress.**—In spite of many drawbacks, Texas was

steadily progressing. Trade gradually increased. The harbors of Galveston, Velasco and Matagorda were white with the sails of vessels from the United States and foreign shores. Houston grew rapidly. Steamers were seen on the Brazos, the Trinity, and the Colorado. Texas imported less and exported more.

**Question of Annexation.**—Lamar was opposed to the annexation of Texas to the United States. In his inaugural message he said: "I cannot regard the annexation of Texas to the American Union in any other light than as the grave of all her hopes of happiness and greatness." During his administration the question was seldom discussed publicly in Texas, but the press and people of the United States did not allow the matter to be forgotten; public sentiment everywhere was growing more and more in favor of annexation.

**New Officers.**—In September, 1841, Houston was again chosen President, and Edward Burleson was made Vice-President.

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INVASION OF TEXAS  
COUNTER INVASION OF MEXICO  
ANNEXATION COMPLETED

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HOUSTON'S SECOND ADMINISTRATION

(1841-1844)

[*Edward Burleson, Vice-President*]

**Houston's Policy.**—The President in his inaugural address advised friendship and peace-treaties with the Indians, also the establishment of trading posts on the frontier. Rigid economy was urged, that the expenses



of the Republic might come within its income. Houston recommended that Texas have nothing to do with Mexican revolutions and showed that an invasion of Mexico at this time could result only in failure.

**Mexican Invasion.**—In March, 1842, a Mexican army under General Vasquez (váss-kess) appeared before San Antonio and demanded its surrender. As the Texans had only a small garrison, while the enemy numbered five hundred or more, Colonel John C. Hays called a council of war to decide whether they should surrender, fight, or retreat. Having destroyed their stores, the Texans retired from the city as the Mexicans with flying colors entered.

A small band of Mexicans also took possession of Refugio and Goliad. After remaining only two or three days in the captured cities, the Mexicans retreated to the Rio Grande.

**Cause of Invasion.**—That Santa Anna, who was again at the head of the government, thought he could subdue Texas and make her once more bear the Mexican yoke is not to be believed. He had seen enough of Texan bravery and patriotism to know that to be impossible. He was unwilling to acknowledge Texas an independent country, and adopted this plan of letting her know she was still considered a part of Mexico. Moreover, he hoped in this way to prevent the annexation of Texas to the United States. The United States Government had taken the position: "As long as Texas and Mexico are at war, we, as a neutral nation, have no right to espouse the cause of either party. Should we favor the annexation of Texas, Mexico would justly claim that we are aiding Texas." Santa Anna ordered the attack on San Antonio that the United States might see that the war was not over.

The Mexicans also felt indignant at the part Texas volunteers had taken in various Mexican revolutions, and they were especially outraged at the Santa Fé Expedition.

**Texas Resistance.**—The news of the capture of San Antonio quickly spread throughout the Republic. In a few days, three thousand men had volunteered. Before they could gather, however, the enemy had gone. Many of the soldiers were eager to cross the Rio Grande and pursue the Mexicans, but the leaders, knowing Texas had no money to carry on a war, persuaded the patriot army to await a better opportunity.

Congress, realizing that the Republic was in danger, passed a bill authorizing Houston to sell ten million acres of public land to defray the expenses of an offensive war against Mexico. Houston vetoed this bill.

**"The Archive War."**—In June, 1842, the President called a special session of Congress to meet in Houston. Houston was named as the place of meeting because Austin was not considered safe, as it was thought the Mexicans would soon make a strong effort to capture that city. When the officers wished to remove from Austin some State papers that were needed by Congress, the people of Austin objected. They claimed that Houston was partial to the city named in his honor, and was continually planning to move the capital back to Houston. A Vigilance Committee was formed, the archives were packed in boxes and a guard placed over them. In December, 1842, President Houston instructed Captains Thomas Smith and Eli Chanler to raise a band of Rangers, march to Austin, seize the papers and bring them to Washington on the Brazos where the Texas Congress was soon to meet. The real cause of the expedition was not to be revealed even to the soldiers them-

selves until they were near the capital. The leaders were ordered, under all circumstances, to avoid bloodshed. On the night of December 30 the Rangers entered Austin, hastened to the capitol, loaded three wagons full of the boxes containing the archives, and drove away. The guards were unprepared for the raid. Next day, however, the Vigilance Committee, under Captain Mark Lewis, taking a cannon from the arsenal, hurried in pursuit. At Kinney's fort on Brushy Creek Captains Smith and Chanler saw they must either give battle or surrender the archives. In obedience to President Houston's orders to avoid bloodshed, they gave up the papers which were returned to the capitol. This episode has become known as the "Archive War."

**Second Invasion.**—In September, 1842, General Woll with not less than a thousand Mexicans, crossed the Rio Grande. He took possession of San Antonio, and made prisoners of sixty-seven Texans including the officers of the District Court that was then in session.

**Battle at the Salado** (September 18.)—News of this second invasion caused the Texans to rush to arms. Colonel Matthew Caldwell, from Gonzales, with some two hundred mounted men, was among the first to march to the relief of San Antonio. About six miles from the city, in a dense bottom that skirted the Salado, a location wisely chosen by Colonel John C. Hays and his scouts, the Texans met the enemy and after several hours' struggle forced them to retire from the field with a heavy loss.

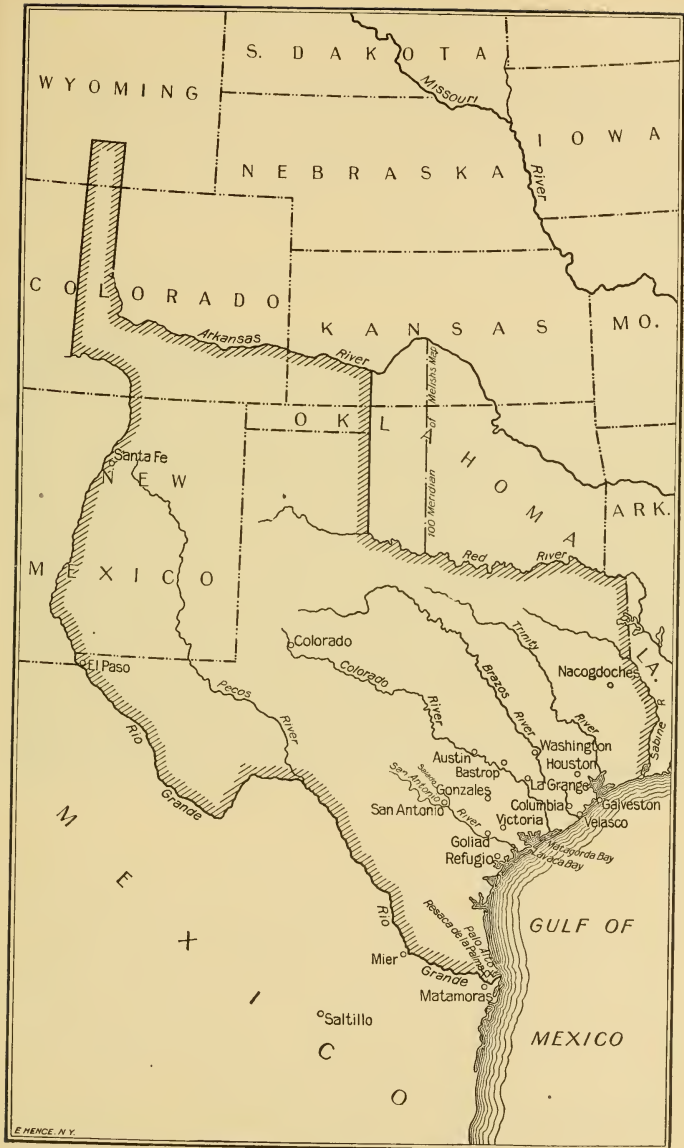
**Dawson Massacre.**—Captain Nicholas Dawson, with fifty-three men, was hastening to join Colonel Caldwell when he found that a battle was raging, and that the Mexicans were between him and his countrymen. Dawson ordered his men to retreat to a mesquite grove,

where he formed them in line of battle, and waited the attack of the enemy. The Mexicans halted out of rifle-range from the Texans and turned upon them their artillery: soon all but fifteen of the little band were killed and these were taken prisoners. The remains of the unfortunate Texans were afterward (in 1848) taken to La Grange and buried on Monument Hill, opposite the town.

**General Woll Returns to Mexico.**—On September 20th General Woll began a retreat from San Antonio and soon crossed the Rio Grande. He took with him all prisoners able to travel.

**Mier Expedition.**—Houston now called for volunteers to invade Mexico and troops collected rapidly near San Antonio. The President placed General Somervell in command; this displeased the soldiers as they wanted General Edward Burleson, claiming that Somervell was not really in sympathy with the proposed invasion. After going down the Rio Grande, after marching and counter-marching, without accomplishing anything, General Somervell gave up the expedition and returned home. While most of the volunteers followed his example, yet about three hundred remained near the border and elected Colonel William S. Fisher to command them.

**Battle of Mier.**—Colonel Fisher led his men against the Mexican town of Mier. (See Map.) They surprised the guard, captured a group of stone houses and fought fiercely all Christmas Day. On December 26th the battle was renewed. In the midst of the struggle the Mexican general, Ampudia, sent out a white flag; the bearer said the town was surrounded by a large force of Mexicans and fresh troops were hourly expected; that General Ampudia so admired the bravery of the Texans he wished to save them from certain death and therefore offered



Territory Claimed by the Republic of Texas

them generous terms of surrender, but that if they refused the terms they must expect no quarter. Many of the Texans opposed any agreement with the enemy, but Colonel Fisher was badly wounded and his men had lost heavily, so it was decided to accept the offer of kind treatment and surrender.

Some time after the Texans learned that if they had continued the battle an hour longer victory would probably have been theirs.

**Treatment of the Prisoners.**—Though the Texans had been promised that they should be kept near the border and soon exchanged, in a few days two hundred and thirty-five of them were started upon a wearisome march first to Matamoras and then into the interior of Mexico. The seriously wounded were left at Mier.

**Escape.**—On February 11, while encamped for the night at the hacienda of Salado, about one hundred and twenty miles beyond Saltillo, the prisoners overpowered their guards, armed themselves, conquered the cavalry guard, took what horses they could get, and to the number of one hundred and ninety-three started for home.<sup>7</sup> Instead of keeping in the main road, and trusting to their power to conquer any force they might meet, they tried to make their way over the mountain paths. They soon became lost. Food was so scarce that it was necessary to kill their horses. Water failed them. As the time passed on and no water was found, many, overpowered by the fever brought on by tormenting thirst, lay down to die; others became so weak that they threw away their arms, and pressed on in the mad search for water. While in this condition, they were made prisoners by a company of Mexican cavalry (February 18th) and started back toward the City of Mexico.

**The Fatal Lottery.**—March 25, 1843, the prisoners,



who were now heavily ironed, received news at Salado that Santa Anna had commanded every tenth man among them to be shot; this was a punishment for their attempt to escape. The prisoners, heavily guarded, were marched into a court-yard. The Mexican officer took an earthen crock, in which he placed one hundred and fifty-nine white beans and seventeen black ones. The men who drew the black beans were to be shot. Not a



The Fatal Lottery

Texan flinched. The brave Captain Cameron, who was the first to draw, advanced with a firm tread toward the vessel that contained life and death, saying: "Well, boys, we have to draw, so let's be at it." He drew life, but there was no joy in his face, for he knew that seventeen of his comrades must suffer. At dark, the condemned were moved to a neighboring court, where they were shot. The surviving prisoners were forced to con-

tinue their weary march the next morning. On April 25 by special order Captain Cameron was shot.

**Fate of the Remaining Prisoners.**—After reaching the City of Mexico the Texans were sent more than one hundred and fifty miles to the east where they were placed in the gloomy fortress of Perote (pā-ro'-tā); here they found many of the prisoners General Woll had brought from Béxar. This was considered such a strong castle that it was thought the Texans could not escape, but several of the men tunneled through the thick stone foundation and won their freedom. In March, 1844, through the efforts of General Waddy Thompson, United States Minister to Mexico, those of the Béxar prisoners still living were released. September 16, 1844, the Mexican nation's birthday, Santa Anna set free one hundred and seven of the Mier prisoners, the rest having died or escaped.

**Snively Expedition.**—This administration was marked by still another unfortunate expedition against Mexico. An extensive overland trade was carried on between Mexico and Missouri by way of the Santa Fé trail, which led through a portion of Texas. In 1842 the news spread over Texas that a rich caravan, bound for Mexico, was to pass through in a few months. A band of daring spirits asked for and received permission from the government to capture this property of the enemy. Their commander, Colonel Jacob Snively, with a well-armed force, set out late in April, 1843, to meet and attack the Mexican merchants. When they reached the Arkansas River, they camped on the right bank below where the Santa Fé trail crossed, and sent out scouts, who reported that the train would pass some distance above them, and that five hundred Mexicans were acting as escort. Later, Colonel Snively learned that the cara-

van was also protected by two hundred United States dragoons under Captain Philip St. George Cooke. The Texans met a portion of the Mexican guard and utterly routed them, taking a number of prisoners and much booty. This success proved to be a misfortune, for quarrels arose among the victors, and these quarrels led to the division of their forces, seventy returning home under Captain Chanler. Late in June, Captain Cooke sent for Colonel Snively and asked why he, with armed men, was waging war on United States territory. Snively assured Cooke that the Texans were on their own land. By way of reply, Cooke marched to Snively's camp, surrounded it, turned upon it his cannon, and bade the Texans stack arms. This Snively and his men most unwillingly did. Cooke left them only ten muskets with which to protect themselves from the Indians, but he offered safe escort to all who wished to go to Missouri. Some fifty of the party accepted this offer, and the remaining Texans were fortunate enough to overtake Chanler and his party. After many adventures the expedition reached Texas and disbanded August 6th. The United States government afterwards admitted that Snively was on Texas soil, and paid \$18.50 for every gun taken.

**Texas Appeals to the Great Powers.**—After Woll's invasion Congress ordered (December, 1842) six companies of militia to be ready for immediate service. General Thomas Rusk was appointed commander. Before beginning a regular offensive campaign against Mexico, however, the Texas authorities resolved to make an appeal to the United States, Great Britain and France. A statesman-like paper<sup>8</sup> was prepared, showing that though Texas had won her freedom, and though her independence had been recognized by several of the

Great Powers yet Mexico continued at war. Mexico said, "Texas is still ours. We gave these foreigners freely of our richest lands, but they have been traitors from the beginning. Now, not content with Texas, they dare to invade Mexico. We are forced to use cruelty against such people." While the chief men in Mexico knew that Texas could never be conquered, they dared not tell the masses for fear of a revolution.

**Hostilities Cease.**—In June, 1843, through the kind services of England, Mexico and Texas agreed to stop all hostilities until commissioners could arrange an armistice or a treaty of peace. The commissioners from Texas and Mexico drew up an armistice, but President Houston refused to sign it because "it referred to Texas as a part of Mexico." Santa Anna then (June, 1844) notified Texas that Mexico would renew hostilities.

**Regulators and Moderators.**—From 1842 to 1844 Shelby County and other portions of the eastern border were kept in constant turmoil by the quarrels of two opposing parties, styled the Regulators and Moderators. Many of the citizens of this section were daring adventurers, who had lived in the Neutral Ground, where they acknowledged no law save their own pleasure. Charles W. Jackson, a refugee from Louisiana, came to Texas in 1842, and speedily announced himself a candidate for congressman. He was defeated. Enraged at this, and knowing that the land officers had worked against him, he wrote the General Land Office that serious frauds were being practised by the Shelby officials. He received a letter, threatening his life, and killed the writer thereof. When the day for his trial came, the most intense excitement prevailed; the court was crowded with armed men; the judge was afraid to undertake the case, and hence found it convenient to disappear; this left Jack-

son master of the situation. He organized a party under the name of the Regulators, and they proceeded to regulate public matters according to their own ideas. In order to resist such actions, the enemies of Jackson banded together as the Moderators. Then followed a series of murders and outrages that grew so serious as to threaten a civil war in the county. President Houston ordered out some five hundred militia under General Smith, with instructions to suppress the disturbances at any cost. The general and his officers, by appealing to the better nature of the opposing parties, persuaded them to disband, but many private feuds, growing out of this trouble, lasted for years.

**The Navy.**—As we have seen, in 1836 Texas bought four vessels, which did valiant service in the Revolution. In 1839, as one of these vessels had been captured, another sold and two wrecked, Congress spent nearly eight hundred thousand dollars in bonds for the purchase of a new navy consisting of three schooners, one sloop-of-war, two brigs, and one steamship. In 1840 these vessels, with one exception, were sent to Yucatan, which was in the midst of a revolution. As the French had destroyed the Mexican navy, the Texas force was able to do much damage to Mexican commerce. When Yucatan declared her independence, she entered into an alliance with Texas against Mexico; Texas agreed to let her navy protect the trade and coast of Yucatan provided Yucatan paid part of the naval expenses. The vessels remained in Yucatan waters from the fall of 1841 till May, 1842, when they were sent to New Orleans and Mobile for repairs in order to be ready to enforce a blockade ordered by President Houston against Mexico.

**Trouble Between the President and Commodore Moore.**—Later Houston ordered Commodore Moore to report in Galveston for orders; the Commodore did not obey. On January 16, 1843, the President and Congress secretly decided to sell the navy and sent James Morgan and William Bryan as commissioners so to do. Moore refused to turn over the vessels, saying he had promised not to take the navy from New Orleans till he had paid for the repairs made and no money had been furnished him to settle the debt. Yucatan about this time offered a good price if Moore would hasten to Campeachy and protect the port against the Mexicans, who were besieging it. Commissioner Morgan consenting and offering to go with him, Moore sailed to Yucatan with two vessels. Thereupon the President suspended the commodore and declared him a pirate. Moore, after marked success in Yucatan, returned to Galveston. The sympathy of the masses was with the naval officer and when the secret plan to sell the navy got out, the people showed so much indignation that the order was repealed (February, 1844). When Texas was annexed to the United States her navy became United States property.

**Annexation.**—During all this time, the people of Texas still desired to become a part of the United States, but there were two reasons why a strong party in the United States opposed annexation. First, Mexico still claimed Texas, and said she would fight before she would give her up to another nation. Thus war with Mexico would surely follow the admission of Texas to the Union. Second, the Texans held slaves; hence, while most of the South favored annexation the North opposed it, as it would add to the slave-holding territory. President Tyler wishing to see Texas one of the United States, a treaty of annexation was drawn up and signed



by John C. Calhoun, the Secretary of State under Tyler, and by J. P. Henderson and Isaac Van Zandt, representatives of Texas. In June, 1844, however, the United States Senate refused to confirm the treaty.

**The Cry "Polk and Texas" Wins an Election.—**

This decision was not final; the people were soon to decide the matter themselves. In the Presidential campaign of November, 1844, "Polk and Texas," or "Clay and no Texas," was the battle-cry. France and England did all in their power to keep Texas from the United States; among other inducements, they offered her complete protection from Mexico. This action on the part of these two great nations had a good effect upon the United States, whose people saw if she did not hasten to receive Texas, the Lone Star Republic would come under the influence of some other country. Polk's party argued that this would never do; they showed, also, that if England or France once gained a foothold in Texas, the United States would be compelled, for her own safety, to burden herself with vast standing armies. The election resulted in the choice of Polk. This decided that Texas would soon become one of the United States, if she so desired.

**Conditions in Texas.**—Money matters had improved. The Indians were far less troublesome. Some seventy thousand settlers came to Texas between 1836 and 1846. Of these a few were French and English. Many Germans, some from noble families, located at New Braunfels, Fredericksburg and Yorktown. On account of hard times in the United States, hundreds of good families eagerly accepted Texas' offer of free land. The Homestead Law (1839) made the home safe from seizure for debt.

The candidates for the Presidency were Anson Jones and Edward Burleson. Dr. Jones was elected.

## JONES'S ADMINISTRATION<sup>9</sup> (1844-1846)

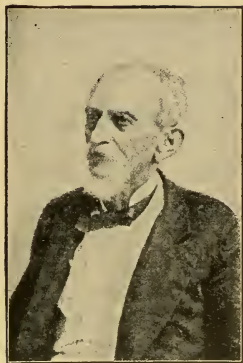
[*Kenneth L. Anderson, Vice-President*]

**President's Position.**—President Jones's position was a trying one. Annexation was publicly discussed throughout Texas and the United States. Mexico, France and England were making every advance to Texas, trying to persuade her to remain independent of the United States. To keep all proposals unanswered for several months, and give offense to none of the nations, was the task that confronted the President and his able Secretary of State, Dr. Ashbel Smith.



President Jones

**Annexation Resolution Passes Congress.**—On February 25, 1845, there passed the lower house of the United States Congress a joint resolution offering under certain conditions annexation to Texas. In the Senate this resolution, after being somewhat changed, passed. On February 25th the amended bill was finally passed by the House of Representatives. One of the last official acts of President Tyler was to sign the bill, thus making it a law.



Dr. Ashbel Smith

**Offers from Mexico.**— At this time Santa Anna was out of office and General Herrera was in control of Mexican affairs. Dr. Ashbel Smith secured (May, 1845), Mexico's signature to a treaty of peace recognizing the independence of Texas, provided Texas would promise to refuse the offer of annexation. President Jones said he would submit both propositions — that of the United States and that of Mexico — to the people of his Republic.

**Texas Accepts Annexation.**— On June 16, the Texan Congress met in special session; on July 4 a convention was called: both these bodies rejected the offer from Mexico and accepted annexation. On October 13th, the people of Texas voted almost unanimously to accept annexation, and also to adopt the State Constitution. The laws of the United States were extended over Texas in December; on February 19, 1846, both the laws and postal service of the United States became those of Texas, and President Jones



Sidney Sherman

gave way to the first Governor of the State of Texas.<sup>10</sup> Thus the Republic of the Lone Star was by her own hand blotted out from the catalogue of nations, but in her place gleams a radiant planet that revolves in the peaceful firmament of the "Red, White, and Blue."<sup>11</sup>

### SUMMARY OF ERA V

In September, 1836, the people of the Texas Republic adopted a Constitution, elected General Sam Houston President, and declared themselves in favor of being annexed to the United States. The United States recognized (1837) the independence of Texas, but did not consider the question of annexation. The Supreme Court was organized, a general land office was established, land laws were passed, post-offices and mail routes were opened and the army was furloughed.

During the term of the second President, Mirabeau Lamar (1838-1841), France, Holland, England and Belgium recognized the Texas Republic. The Cherokee and the Comanche Indians were crushed. The Santa Fé expedition, having for its purpose the winning of New Mexico, failed. Austin was selected (1839) as the capital. The foundation of a public school system was laid. The finances of Texas grew worse each year.

General Houston served a second term as President (1841-1844). Mexicans invaded Texas (March, 1842), and took possession of San Antonio, Refugio and Goliad, but in a few days withdrew across the border; in September a second invasion occurred in which Captain Dawson and his men were massacred, but the Texans gained a victory at the Salado. The Mexicans again withdrew. The Mier expedition, organized to invade Mexico, was marked by the battle of Mier (December, 1842), the surrender of the Texans, their imprisonment and escape, and the fatal lottery. The Snively expedition also failed. Texas appealed to the Great Powers, protesting against the inhuman modes of warfare used by Mexico. The Archive War, the Regulators and Moderators and disagreements between President Houston and Commodore Moore, created disturbances within the Republic. Finances improved. The election of Polk as President of the United States, meant that the people desired the annexation of Texas.

Under the last Texas president, Anson Jones (1844-1846), the Republic ceased to exist and Texas became a state of the American Union.

### MANNERS AND CUSTOMS

[See also Bolton and Barker's "*With the Makers of Texas*," page 219-272.]

**Reminiscences of Mrs. Dilue Harris**, [Quarterly Texas State Historical Association, January, 1904.]

*"Bray's Bayou, 1838."*

#### GOOD TIMES.

"We enjoyed our new home very much, for we could attend church, a blessing we had been deprived of since the year 1833. Houston had improved considerably for a town not two years old. A steamboat had arrived. . . . Everybody was highly elated, as the farmers were going to plant cotton. The planters from Mississippi with their slaves were located on the Brazos. A Mr. Jonathan Waters was going to build a cotton gin on the Brazos. . . .

"I attended school during the summer. At this time there was no church building in Houston, nor any preacher stationed there. The first sermon I heard preached in Houston was delivered by a Presbyterian minister by the name of Sullivan. He preached in the Hall of Representatives in the old Capitol. There had been built a court house and jail, both of them of logs. . . . With other evils, a great many gamblers had been put out of the State of Mississippi and, as it was believed that a large amount of money had been captured from the Mexicans at San Jacinto, Houston was considered the El Dorado of the West. There had been several good houses built in Houston.

. . .

#### PRESIDENT HOUSTON AT A BALL.

"Mr. Ben Fort Smith built a large two-story house to be used for a hotel. It was opened with a grand ball on the 21st of April, the second anniversary of San Jacinto. . . . The second story of the house had not been partitioned off for bedrooms, and it made a fine hall for dancing. There were three hundred people present, but not more than sixty ladies, including

little girls and married women. There were but few unmarried young ladies at that time in Texas, and as Miss Mary Jane Harris, the belle of Buffalo Bayou, was married, I, as the Rose of Bray's Bayou, came in for considerable attention. Politics ran high. General Mirabeau B. Lamar, vice-president, and a candidate for president, and Gen. Sam. Houston and staff, did not dance, but promenaded. One half of the men were candidates. Mr. Robert Wilson, 'Honest Bob,' was a candidate for congress. General Houston was talking with Mother and some other ladies, when Father presented Sister and me to the president. He kissed both of us and said, "Dr. Rose, you have two pretty little girls." I felt rather crestfallen, as I considered myself a young lady. It had been the height of my ambition to dance with the president. At the Washington's birthday ball, Mrs. Dr. Gazley was dancing with the president. She, not feeling well, asked me to take her place, but a pretty young widow . . . asked her partner to excuse her. She changed places with me, but I had the honor to dance in the same set. But as there was to be a wedding in June and I was to be first bridesmaid and General Houston best man, I didn't care. . . .

#### FIRST THEATRE.

"The second anniversary of the battle of San Jacinto had come and gone and Mother said she hoped there would be nothing else to distract us from our studies, as the school would close in June. But there was another sensation. One Monday morning in May, on our arrival at the school-house, we found the town covered with bills. A theatrical company had arrived and would give the first performance Friday night, June 11. This was the first theatrical company to come to Texas. It not only ran the young people wild, but the old people were not much better. . . .

#### A WEDDING.

"The wedding came off the 15th of June. The groom was Mr. Flournoy Hunt, the bride, Miss Mary Henry. The wedding was at the mansion house, the home of Mrs. Man, mother of the groom. It was a grand affair, but I was snubbed again by a pretty widow. General Houston and I were to be first attendants, Dr. Ashbel Smith and Miss Voate, second, and Dr. Ewing



and Mrs. Holliday, third. At the last moment the program was changed. Mrs. Holliday suggested that I was too young and timid, and that she would take my place. General Houston offered her his arm. They took the lead, and Dr. Ewing escorted me. Everything passed off very pleasantly. As soon as congratulations were over, General Houston, who was the personification of elegance and kindness, excused himself and retired. . . . Mr. Hunt introduced Mr. Ira A. Harris. He was young, handsome, and had been but a few weeks in Houston; and, as I did not have the president for a partner, I was well pleased. As there was no pretty widow to interfere, we were subsequently married. Houston was at that time overrun with widows. They came from New Orleans. But it was a blessing in disguise, as all the old widowers and bachelors were thus enabled to get wives. The wedding ended with a supper and ball. The names of a few who were present and who married widows are: Thomas Earl, William Vince, owner of Vince Bridge, and his brother, Allen Vince, owner of the fine horse on which General Santa Anna made his escape from the battle-field of San Jacinto.

#### AN EXCITING EVENING.

"President Houston had been absent in October visiting Nacogdoches. On his return the citizens arranged to give him a grand reception and banquet. The Milam Guards were to meet the president at Green's Bayou. As they marched out they came by the school-house. The soldiers were a fine body of men; their uniforms were white with blue trimmings. There were but a few girls in school. None of us were over fifteen years old, but we all had sweethearts among the Milam Guards. Soon after they left town rain began falling, and when they returned in the evening they were a sorry sight, wet and muddy, their uniforms ruined, and the president's clothing not much better. The reception was a failure, there being no ladies at the banquet. The school teacher, Mrs. Robertson, and pupils, had received complimentary tickets to the theatre that evening, as had also the president, his staff, and the Milam Guards. Rain and mud did not deter us. We were all at the school-house before dark. From there we marched to the theatre, where the First National Bank now stands. The front seats were reserved for ladies and the school children, the next seats for the presi-

dent, his staff, and the Milam Guards. The school arrived early, found the reserved seats occupied, and was accordingly seated in the second seats. There was considerable confusion, as the house was crowded. As the president and escort entered, the orchestra played 'Hail to the Chief,' but there were no vacant seats to accommodate them. The stage manager, Mr. Curry, came out and requested the men in front, who were gamblers and their friends, to give up the seats. This they refused to do. Then the manager called for the police to put them out. They became enraged, and drawing weapons, threatened to shoot. The sheriff called upon the soldiers to arrest and disarm them. It looked as if there would be bloodshed, gamblers on one side, soldiers on the other, women and children between, everybody talking, women and children crying. The president got on a seat, commanded the peace, asked those in front to be seated, ordered the soldiers to stack arms, and said that he and the ladies would take back seats. This appeared to shame the gamblers. One man acted as spokesman and said that if their money was returned they would leave the house, as they had no desire to discommode the ladies. . . . After the gamblers left, the evening passed very pleasantly. The president addressed the audience, particularly the children. . . . He admonished them to be obedient and diligent in their studies.

"The first theatrical company to perform in Houston closed its engagement the next day. Mrs. Barker went home sick, Mrs. Hubbard refused to act again, and Mr. Barker took an overdose of laudanum and died, leaving his family destitute, the mother sick, with three small children, in an open house without a fire-place or stove. As soon as the people buried the corpse, there was a meeting to find means to help Mrs. Barker. The gamblers gave money freely, but it was impossible to get a good house. Gen. Sam Houston came to the rescue, and said that the destitute family could have the president's mansion, and that he would board. The family was moved into the mansion till Mrs. B. was able to travel to her friends. . . .

*"Bray's Bayou, 1839."*

LOCATING THE CAPITAL.

"This winter, 1839, was the first cold weather I had seen in Texas. There was sleet and snow. The new congress met in

December, 1838, in Houston. General M. Lamar was president; . . . There was as much dissension in this congress as in the Consultation of 1835. The land speculators wanted to move the seat of government from Houston. No two members could agree. Some wanted to locate it at San Antonio, others at the head of the Colorado, or at Brazoria, Nacogdoches, or San Saba—every man was for himself. Finally there was a secret session of the senate that gave some offense to Senator Robert Wilson. He exposed some transaction of the session, and this caused his expulsion. An election was ordered to fill the vacancy. ‘Uncle Bob Wilson,’ as everybody called him, was nominated and elected. As soon as he received his certificate of election the boys decided to celebrate the event. They built a throne in a wagon, seated their senator, manned the wagon, marched around town, then to the Capitol while Congress was in session, hurrahing for ‘Uncle Bob,’ and shouting ‘Down with secret sessions,’ and ‘The seat of Government must remain in Houston.’ They would have hauled the wagon into the senate chamber, but ‘Uncle Bob’ requested them not to do so. This session of the congress passed the act locating the seat of government on the Colorado River above the Old San Antonio Road, and naming the place Austin. . . . At this time we were harassed by Mexicans and Indians. First was General Woll’s invasion. The seat of government was moved back to Houston, and then to Washington on the Brazos. Times were very hard. Texas money was down to twenty-five cents on the dollar; gold and silver disappeared from circulation; and immigration to Texas almost stopped.

#### ANOTHER WEDDING.

“On the 20th of February I was married to Ira A. Harris in a log house on Brazos Bayou. The marriage ceremony was performed by Judge Andrew Briscoe, the hero of Anahuac. Mrs. Mary McCrory, now Mrs. Anson Jones, was bridesmaid, and Mr. Allen, from New York, groomsman. Among the guests were Gen. T. J. Rusk [and] Dr. Ashbel Smith.” . . .

## SCHOOLS

*"From Old Time Schools in Texas,"*

BY M. M. KENNEDY.

"The first school that I remember, though I did not attend it, was in Austin's colony in 1835. It was taught by an Irishman named Cahill. My older brother was one of the pupils of that primitive academy. [The school] was distant about two miles from our house, and the way was through the woods without any road or path. When he [the brother] started to school, our father was absent and mother went with him, carrying a hatchet to blaze the way. . . .

"The next school was at the same place in 1838 or 1839, taught by Mr. Dyas, an old Irish gentleman, and I think a regular teacher by profession. The session was three or four months and the studies miscellaneous, but the discipline was exact. He had an assortment of switches set in grim array over the great opening where the chimney was to be when the school-house should be completed. On one side was the row for little boys, small, straight and elastic, from a kind of tree which furnished Indians with arrows and the schoolmaster with switches at the same time. I remember thinking of the feasibility of destroying all that kind of timber growing near the school-house. My terror was a little red switch in that rank which I caught too often, usually for the offense of laughing. The larger switches were graded, partly by the size of the boys and partly by the gravity of the offense, the gravest of which was an imperfect lesson. The third size of rods was of hickory, tough sticks, which he did not use on little boys, but which he did use on the larger scholars, without the least hesitation or reserve, if they failed to get the appointed lesson.

"As for the studies, we all had Webster's spelling book, and were classed according to our proficiency in that great classic. The last few pages contained some stories and fables, intended for reading lessons. They were illustrated, and the last one had a picture of a wolf, by some accident well executed — a fact which tended to establish the book in our estimation, because we saw wolves every day. 'The picture of the wolf in the spelling book' thus became the synonym of graduation. Whether it originated with us or not I do not know, but the expression was long used

in a humorous sense as equivalent to a diploma, and when it was said of a boy that he had studied to 'the picture of the wolf in the spelling book' his ability was not afterward questioned.

"The pupils brought such books as they happened to have, and one young man had Robinson Crusoe for his reading book. His readings interested me greatly, but I fear that my attention was given to the adventures of Crusoe rather than to the teacher's precepts for reading well. Several had Weems's Life of Washington, in which the story of the little hatchet and the cherry tree was most impressed upon our memory. There were no classes in arithmetic. Each boy ciphered through his text-book as fast as he could, and the stern teacher pointed to the errors with the switch held like a pen, and a wag of the head that meant correction."

### QUESTIONS

In September, 1836, on what questions did the people vote?

What were the results of the elections?

How long did Houston serve as President?

Give a short sketch of Houston's life.

Where and when did the first Congress meet?

What public men died during Houston's administration?

Describe Austin's burial.

State the leading difficulties that confronted Houston and the Congress.

Why did Mexico not send another army to invade Texas?

What is a furlough? Why did Houston grant furloughs to most of the army?

What prominent Texans fought a duel? Why? How do you regard duelling? Which takes more courage, to accept or to refuse a challenge? Is public opinion in regard to the duel the same now as it was in 1847?

Contrast the Indian policy of Lamar with that of Houston.

When did a pig cause trouble between Texas and France?

Name some of the United States officials who favored the annexation of Texas. Why did any one oppose annexation?

Who were the Regulators and Moderators?

Give cause and result of the Snively Expedition.

Who wrote "The Republic of Texas?"

When was Texas annexed to the United States?

Name all the Presidents of the Republic.

Who said "The first act in the great drama is now performed. The Republic of Texas is no more"?

Describe the Council House Fight.

What decisive battle was fought with Comanches?

What can you say of the Republic of the Rio Grande?

What territory was claimed by both Texas and Mexico?

Tell the story of the Santa Fé Expedition.

Name places that served as the capitals of the Republic.

What efforts were made to build up a system of public education?

Tell all you can of the Mexican invasion in 1842.

What was the Archive War?

When was a District Court made prisoner?

Give details of the Dawson Massacre.

What is the meaning of "the white flag was raised"?

Where was Mier? Why were the Texans there? Describe the Battle of Mier. Why did the Texans surrender? How were they treated? Tell of "the escape" and of the "fatal lottery." Of what other scene in Texas history did the "fatal lottery" remind you?

What is an armistice? When did Texas and Mexico agree upon an armistice?

Who was Dr. Ashbel Smith?

When was a Texas Commodore declared a pirate?

Which event in this Era most interested you?

Do you think it was wise for Texas to give up her independence? Why?



I. Ad Interim — Government. See Era IV.

David G. Burnet, President.

II. Recognition by  
United States.

First steps of  
Annexation.

Houston, President,  
(1836-1838).

1. First Congress.

2. Difficulties.

a. Debt.

b. Mexico.

c. Army.

d. Indians.

3. How difficulties were met.

4. Death of Austin and De Zavala.

5. United States recognizes Texas Republic.

6. Proposition for annexation withdrawn.

1. France, England, Belgium and Holland  
recognize Texas.

2. Indian Troubles.

a. Lamar's policy.

b. Cherokees.

c. Comanches. } Council House.  
Plum Creek.

3. Republic of the Rio Grande.

4. Santa Fé Expedition.

a. Cause.

b. Journey.

c. Capture.

d. Fate of  
Prisoners.

5. Capital located at Austin.

6. Finances.

7. Educational System.

1. First Mexican  
Invasion.

a. Cause.

b. Result.

2. Second Mexican  
Invasion.

a. Battle of  
Salado.

b. Dawson  
Massacre.

c. Retreat.

3. Mier.  
Expedition.

a. Cause.

b. Battle.

c. Surrender.

d. Escape.

e. Capture.

f. Fate.

4. Archive War.

5. Snively Expedition.

6. Texas appeals to Great Powers.

7. Regulations and Moderations.

8. The Navy.

9. Election of Polk and triumph of An-  
nexation Party.

10. Annexation possesses United States  
Congress.

11. Offers from England, France and Mex-  
ico.

12. Texas becomes one of the United  
States.

III. Recognition by  
European Powers.

Interference in  
Mexican affairs.

Indians crushed.

Lamar, President.

(1838-1841).

IV. Invasion of Texas,

Counter Invasion of

Mexico,

Annexation Completed.

Sam Houston, Presi-

dent, (1841-1844).

Anson Jones, Presi-

dent, (1844-1846).

# ERA VI

## ERA OF THE STATE

(1846-1912)

[For footnotes see page 333]

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### WAR BETWEEN MEXICO AND THE UNITED STATES

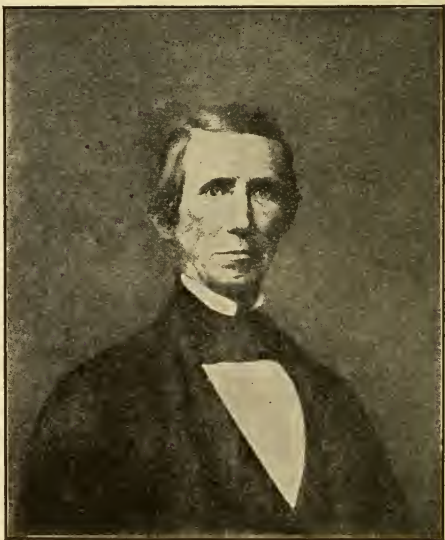
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#### HENDERSON'S ADMINISTRATION<sup>1</sup>

[*Albert C. Horton, Lieutenant-Governor*]

(FEB. 16, 1846-DEC. 21, 1847.)

**Opening of the Administration.**—Governor Henderson's administration opened with bright prospects. Texas, freed from those cares that the central government assumes, felt as if she had a great burden rolled from her shoulders. When Texas was annexed she kept her public lands and these lands were now rapidly increasing in value; immigration poured into her borders, for she offered homes



Governor Henderson

“without money and without price.” Sam Houston and Thomas J. Rusk <sup>2</sup> were sent to the United States Senate; Timothy Pilsbury, of Brazoria, and David S. Kaufman, of Nacogdoches, were elected congressmen.

**Causes of War With Mexico.**—When Mexico saw that in spite of all her efforts Texas was to become one of the United States, she became indignant. Her minister at Washington was called home. The United



Thomas J. Rusk

States Minister to Mexico was refused recognition. Preparations were made for war. The Congress of the Republic of Texas in 1836 declared the Rio Grande to be its western boundary, but Mexico asserted (and many of the best historians think she was correct) that the Nueces River formed the dividing line between the two coun-

tries. The United States government ordered General Zachary Taylor, with a strong force, to occupy the disputed territory, with headquarters near Corpus Christi. Later he advanced to the Rio Grande and built Fort Brown across from Matamoras. The Mexicans tried to resist this movement, but failed.

Various United States citizens had just claims against the Mexican government; in spite of numerous promises

to pay, these claims were not settled. So much bad feeling had been created by the boundary dispute and the question of debts that the declaration of war against Mexico by Congress (May, 1846) was welcomed by most of the American people.

**Texas' Record in the War.**—The legislature authorized General Henderson to take command of all Texas troops called upon to serve in the war. The United States asked for two regiments of cavalry and two of infantry from Texas. The Governor left his civil duties in charge of Lieutenant-Governor Horton, and took his place in the army. He was made a major-general of the Texas militia, and so distinguished himself at Monterey that congress voted him a sword. President Polk offered Houston and Rusk the rank of brigadier-general in the United States army, but they remained in the senate, in obedience to the wishes of their countrymen. It is estimated that about eight thousand Texans served as volunteers during this war. The gallant Rangers, under Colonel John Hays, won lasting fame. Among prominent Texans who served as officers were: Lamar, Burleson, Clark, Wood, Bell, Kinney, Bee, the McCullochs, Scurry, Chevalie, Walker, Buchel, and Albert Sidney Johnston.

**Results.**—The war with Mexico belongs to United States history and only two important battles, Palo Alto (pä'-lō ä'l'-tō) and Resaca de la Palma (rā-sä'-kā dā läh pähl-mä) [located near mouth of Rio Grande] were fought on Texas soil. Therefore no attempt is made here to give an account of the conflict.

Under the leadership of General Winfield Scott and General Zachary Taylor, the war was one continued triumph for the Americans. September, 1847, the City of Mexico, notwithstanding her strong fortifications, sur-

rendered to General Scott. The Stars and Stripes waved over the Halls of the Montezumas and Mexico was forced to give up every claim to Texas. As Mexico had no money to pay the war indemnity, the United States agreed to take land. The Rio Grande was established as the boundary between Texas and Mexico; California, Utah, Nevada, a part of Colorado, New Mexico, Wyoming, and the most of Arizona, making a territory four times as large as France, were ceded to the United States. Thus Texas' annexation extended our country from ocean to ocean. The United States paid Mexico \$15,000,000, and assumed the debts she owed in the United States.

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## BOUNDARY QUESTION

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### WOOD'S<sup>3</sup> ADMINISTRATION

[*John A. Greer, Lieutenant-Governor*]

(1847-1849)

### BELL'S<sup>4</sup> ADMINISTRATIONS

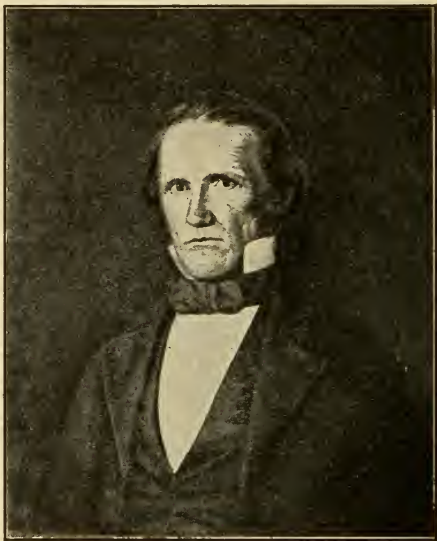
[*John A. Greer and J. W. Henderson, Lieutenant-Governors*]

(1849-1853.)

### **The Boundary Between Texas and New Mexico.—**

As has been stated, Texas claimed the Rio Grande from mouth to source as her western boundary, but had never been able to establish her authority over the country about Santa Fé. At the close of the Mexican war, certain prominent men in the United States took the position that this disputed strip of country was really a portion of New Mexico and should be organized as a part of the territory of New Mexico. Underneath all the discussion that followed was the question of slavery,

which entered at this time every question of public interest. The free states opposed Texas' claims, because as Texas was a slave state, the granting her claims would increase slave territory; the southern states naturally sided with Texas as they wished to extend the power of the slave states. Late in 1848 the people of New Mexico including those about Santa Fé declared against slavery and against becoming a part of Texas. This action disturbed the Tex-



Governor Wood

ans. Some favored taking Santa Fé by force; among these were Governor Wood and later Governor Bell. Others wished to withdraw from the Union.

**The Compromise of 1850.**—The United States Congress passed in 1850 a series of bills yielding certain rights both to free and to slave states, hoping thus to quiet the bitter strife that threatened the very life of our country.<sup>5</sup> The Boundary Bill offered Texas \$10,000,000 for the portion of New Mexico and a strip running into Wyoming claimed by her. (Page 230.) One-half the purchase money was to be kept in the United States treasury, to pay certain debts made by the Republic of Texas, and for the payment of which her custom-house receipts had



been pledged. Texas was required to accept or reject the proposition by December, 1850.

**Texas Accepts the Boundary Bill.**—Public feeling in Texas was at a high pitch. Some denounced the keeping half the money in the United States treasury as an insult to Texas; they declared that it was equivalent to saying, "Texas is dishonest: she will not pay her debts even if



Governor Bell

she have the means." Others vowed they would never part with an acre of the soil for which they had "fought and bled." The demagogues of the day told the people this was the first step of the central government toward assuming absolute power. On the other hand,

those devoted to the best interests of the state argued that Texas had already as much land as she could manage; that she was deeply in debt, and her creditors were daily growing more pressing. A special session of the legislature was called, and the offer of the United States was accepted by an overwhelming majority (November 25).

**The Gold Fever.**—The year 1849 was marked by a



The Boundary Established in 1850

distressing failure in crops. Just at this time, there came wonderful stories of the discovery of gold in California. Men from all parts of the United States flocked to the Pacific coast; many of the "forty-niners," who suffered untold hardships in the long march westward, were from Texas.

**Austin Again Chosen the Capital.**—The State Constitution provided that in 1850 the people should select a capital for the next twenty years. Austin received a large majority of all votes cast.

**Henderson Governor.**—Governor Bell in 1853 resigned to accept a seat in congress; Lieutenant-Governor J. W. Henderson took his place.

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## DEVELOPMENT AND PROSPERITY

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### PEASE'S <sup>6</sup> ADMINISTRATIONS

[*D. C. Dickson and Hardin R. Runnels, Lieutenant-Governors*]

(1853-1857.)

**Public Debts.**—When Congress came to settle the debts of the Texas Republic, it was found that the five millions kept in the United States treasury for that purpose would not be enough. At this point, Texas presented a bill against the United States for money spent in defending the borders from Indians who lived in the United States. To grant justice to all, in February, 1855, Congress appropriated \$2,750,000<sup>\*</sup> more for Texas's claims, and all debts were settled.<sup>7</sup>

**Railroad Law.**—The population of Texas was increasing, but not as rapidly as was desired. Her wisest men saw that to people so large an area would be the work of a century, unless the railroads could be induced

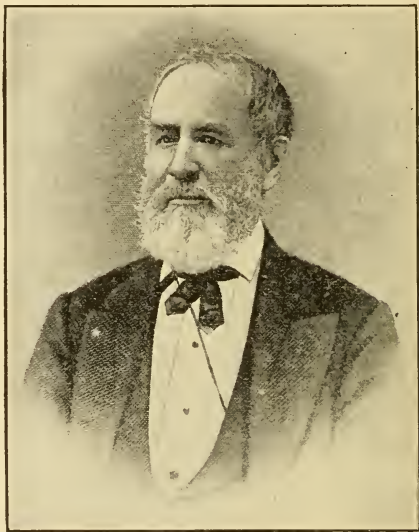
to join North and South, East and West, by their magic bands. To bring this about, the legislature offered sixteen sections of land for every mile of road built.

**School Funds.**—Governor Pease was a warm friend of public education. He recommended the Legislature to set aside a permanent school fund, and to establish a State university. The legislature appropriated two millions of the money received from the United States for a permanent school fund, thus taking the first practical step toward building up a public-school system in Texas.

**Public Institutions.**—In August, 1856, the legislature appropriated one hundred thousand acres of land for each of four asylums — the blind, the deaf and

dumb, the insane, and the orphan. The first three of these were opened during the administration of Pease and Runnels, as were also the new land office (1857), the Governor's mansion and the first state capitol (1853).

**Negro Uprising.**—Affairs in Mexico were in such a troubled condition that scores of Mexican laborers sought refuge in Texas. Some of these married negro slaves. In 1856, in Colorado County, it was discovered that the



Governor Pease

negroes were on the point of rising against their masters ; they had organized, and had collected a supply of arms. Their plan was to murder the whites, seize all the property they could carry with them, and then flee to Mexico. Two hundred of the negroes were severely punished, a few of them being put to death. Nor did the trouble end here. It was believed that the instigators of the plot were Mexicans, hence a violent prejudice against all Mexican laborers sprang up throughout Colorado and the adjoining counties. Public meetings were held in Colorado and Matagorda counties, and the Mexicans were ordered to leave. Planters were advised to employ no Mexican servants.

**The Cart War.**—At this time Mexican teamsters were doing most of the hauling from the seaports to San Antonio, for they worked more cheaply than Texan wagoners. In spite of public warnings, farmers and merchants continued to employ the labor they could get for the least money. The Texas teamsters and their friends then attacked the teams of the Mexicans, stole their goods, killed their animals, destroyed their wagons, and, in some cases, murdered the drivers. Indignant at the cruelty inflicted upon his countrymen, the Mexican minister (October, 1857) complained to the United States authorities. In November, Governor Pease sent two special messages, bearing upon this subject, to the legislature, and finally, to protect the Mexicans ordered out militiamen, who, with the assistance of law-abiding citizens, restored order.

**Know-Nothing Party.**—It was during this time that the "Know-Nothing Party" gained some strength in Texas. This party was opposed to foreign-born citizens and to the Catholics. Their meetings were held in secret. In 1855 they succeeded in electing their can-

didate for Congress from the Eastern district. In 1855 they nominated for governor D. C. Dickson, but he was defeated. With the reëlection of Pease, the "Know-Nothing Party" in Texas began to decline, and soon disappeared from public notice.

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### RUNNELS'S<sup>8</sup> ADMINISTRATION

[*F. R. Lubbock, Lieutenant-Governor*]

(1857-1859.)

**Indian Reservations.**— Some twelve miles below Fort Belknap, on the Brazos River, there had been set aside (1855) a reservation for the remnants of various tribes of Texas Indians; forty-five miles further west, on the Clear Fork of the Brazos, was another reservation, on which over two hundred Comanches were placed. Agents were appointed by the United States authorities to devote themselves to teaching these savages to till the soil, to live at home, to erect public buildings — in short to become civilized men.



Governor Runnels



**Indians Driven Out.**—For three years the efforts of the agents were most successful, but in 1858 there occurred in the vicinity of the Indian colonies, and near the trail of their hunting-grounds, various acts of theft and violence. Every disturbance was charged to the red men. The agents investigated the charges, and declared that in a few cases the Comanches had been guilty, but that the Brazos Colony was entirely free from blame, and that the majority of the acts of violence had been committed by unscrupulous white men, who felt safe in so doing, as they could rely upon popular prejudice to lay all crimes upon the Indians. The citizens heeded nothing said by the agents, but demanded the removal of the Indians from Texas, and threatened violence if their demands were not granted. To prevent bloodshed, the United States, in July and August, had nearly fifteen hundred colonists from both reservations moved to lands on the Washita River, Indian Territory.

**Progress.**—During the administrations of Pease and Runnels immigration came from all sections of Europe and the United States. To the Germans, who settled largely in South and Southwest Texas, the state owes much. They brought with them love for law, order, music and education. Public buildings were erected, crops flourished, trade increased, and the people began to gather about them many comforts and some luxuries.

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## THE CIVIL WAR

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### HOUSTON'S ADMINISTRATION

[*Edward Clark, Lieutenant-Governor*]

(1859 — March 16, 1861.)

**Election of Houston.**—On March 4, 1859, Houston closed his second term as United States senator. In

September he ran as independent candidate for governor and defeated Runnels, the regular Democratic nominee.

**Cortina.**—Juan Cortina, a daring Mexican, invaded Texas with some four or five hundred men and by theft and murder kept the whole Southwest country in terror for several months during 1859. Finally the Rangers aided by the United States troops drove Cortina into Tamaulipas.

**Indians on the Border.**—The Indians who had been removed from Texas still looked with longing eyes upon their old homes. Hating the race who had taken their places, they lost no opportunity of coming back by stealth, and doing the whites all the injury their savage cunning could suggest. The governor was forced to order out the Rangers more than once to drive back the Indians.<sup>9</sup>

**Condition of the Country.**—From the beginning of Houston's administration, the whole United States was excited over the presidential election. Most of the southerners felt that, if Lincoln were elected, civil war would surely follow. Many feared that the slaves were on the point of rebelling. Leaving the Union was discussed on every side, and all felt uneasy over the future.

**Governor Houston Opposes Secession.**—In 1860 Lincoln was elected president of the United States; the war-clouds gathered thick and fast. Houston was opposed to the State's leaving the Union, and did all he could to prevent it. The majority of the people favored secession, and had no sympathy with the governor's views.

**Texas Secedes.**—As Governor Houston was not willing to call a convention, several leaders of the secession movement issued a call for the election of a convention, whereupon Houston called an extra session of the legis-

lature to meet January 21, 1861, to consider what should be done. The people were too excited by this time, however, to wait for, or be satisfied with, the legislature. On January 8 they elected delegates to a State Convention. This body assembled in Austin January 23, 1861, and was immediately recognized by the legislature as representing the will of the people. By a vote of one hundred and sixty-six "ayes" to seven "nays" Texas withdrew from the Union. This action was submitted to the people, and was ratified by an overwhelming majority.

**Texas Joins the Confederacy.**—The Convention decided that Texas should join the Confederate States of America, of which Jefferson Davis was the honored President, and Montgomery, Alabama, the capital. Officers were required to take the oath of allegiance to the new government. This was willingly done by all but General Houston, Secretary of State Cave, and Adjutant-General Norton. Their offices were declared vacant. Houston refused to retire, saying that neither legislature nor convention had the right thus to deprive him of honors granted him by the citizens. In spite of his protests, Lieutenant-Governor Clark was sworn in as governor.

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### CLARK'S ADMINISTRATION<sup>10</sup>

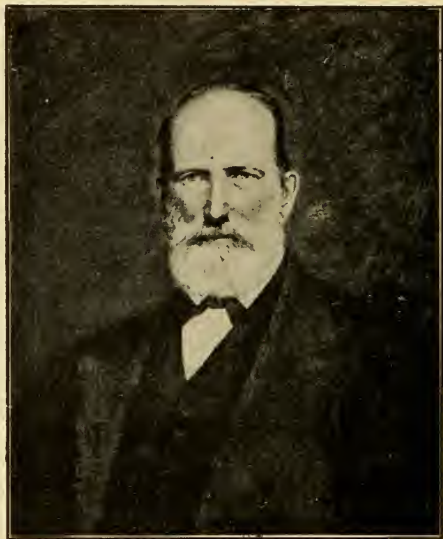
(MARCH, 1861—DECEMBER, 1861.)

**Preparations for War.**—The North declared the South had no right to secede. When Fort Sumter fell (see United States History) even the most hopeful citizen felt that a terrible struggle had begun. On June 8 Governor Clark issued a proclamation declaring that war actually existed; officers began to enroll volunteers. By November, there were some fifteen thou-

sand Texans in the Confederate service. All intercourse with the North was forbidden. Northern citizens were given twenty days in which to leave the state. The United States troops (under command of Major-General Twiggs) who were stationed in Texas were forced to surrender. The Texans paroled the officers and set the privates at liberty. United States property to the amount of \$1,200,000 fell into the hands of the State.

**Blockade.**—In July the port of Galveston was blockaded by a northern squadron.

Soon the entire coast had no communication with the outside world except when some daring blockade-runner succeeded in slipping through the Federal fleet by night.



Governor Clark

LUBBOCK'S<sup>11</sup> ADMINISTRATION  
[*John M. Crockett, Lieutenant-Governor*]

(1861-1863.)

**Sibley Expedition.**—The Confederates determined to gain control of New Mexico. As in the summer of 1861 Lieutenant-Colonel John C. Baylor had captured seven hundred northern troops and gained a foot-hold on



Governor Lubbock

the Rio Grande in New Mexico, early in 1862 General Sibley felt encouraged to plan a vigorous campaign. In February General Sibley, with the aid of the heroic Tom Green, won a decided victory over General Canby at Val Verde and took possession of Albuquerque and Santa Fé. In

July, however, the Federals so far outnumbered the Confederates that Sibley was forced to retire from that territory.

**Galveston Captured.**—October 4, 1862, Commander Renshaw, with four war-vessels<sup>12</sup> and a well-disciplined land force, captured Galveston Island, meeting with little

resistance from the Confederate troops. About the same time Corpus Christi and the defenses of Sabine City were captured by the Federals.

**Galveston Retaken.**—One of the most brilliant exploits of the Texans was the recapture of Galveston. In November, General Magruder was placed in command of the Southern forces on the Texas coast. He determined to expel the Northern forces from Galveston Island. His preparations were made with the greatest care and secrecy. As the Sibley expedition had just returned, General Magruder found them eager to be led against the enemy. He changed four river steamers into gunboats by piling up compressed cotton bales for bulwarks and manning them with suitable men and cannon. The gunboats were to sail to the head of the bay and open fire on the Federals just as the moon sank below the horizon on the morning of January 1st, while at the same moment Magruder was to attack the land forces. The Massachusetts regiment that was encamped on one of the wharves of the city, and the Union war-vessels that lay in the harbor or toward the pass, knew nothing of the danger that threatened them. With the opening of the fourth hour of the New Year, Magruder led his men to the attack. The Northern soldiers fought bravely, but were forced to surrender. The gunboats, being delayed, were unable to open battle at the appointed hour, but when the conflict did begin, the scene was most exciting. The *Harriet Lane* was first attacked; the Confederate boat *Bayou City* ranged alongside and the rigging of the two ships became entangled. Leaping on the enemy's deck, the Texans waged a deadly hand-to-hand fight; great heroism was shown on both sides; Commander Wainwright and his second officer being killed, the *Harriet Lane* struck her colors. The



*Neptune* received a fatal shot and sank. The *Westfield*, being in great danger of capture, was blown up by the Federals, and unfortunately, the commander and some of his men were killed by the explosion. The other vessels escaped. For a few days Galveston was once more an open port, but the blockade was soon replaced. Galveston Island remained in possession of the Confederates till the close of the war.

**Battle of Sabine Pass.**—The Confederates, early in 1863, had driven the Federals from Sabine Pass, and built a strong fort, defended by heavy guns. From Sabine Pass, a railroad extended into the interior of the state. General Banks, the Northern commander, felt that if he could capture the Pass, it would be an easy matter to seize the road, push on to Houston, take possession of all other railways, and thus conquer Texas. With all this in view, he ordered some four thousand troops to embark for Sabine Pass, where he hoped to take the garrison by surprise. Captain Richard Dowling was in command of the fort. The orders of General Banks were not well carried out, for when the Union vessels reached the Pass, Captain Dowling and his men were ready to receive them. When, on September 8, the Union fleet commenced a bombardment, the guns in the fort were silent till the enemy came within close range; then there burst forth so furious a fire that two of the Federal vessels were wrecked and the others sailed hastily away. The Union commander lost two vessels, one hundred killed and wounded, and two hundred and fifty prisoners: these results are remarkable since not more than fifty Confederates took part in the battle. President Jefferson Davis presented the garrison with a silver medal, in honor of the victory.

**Houston's Death.**—General Houston died at his home

in Huntsville, July 26, 1863.<sup>13</sup> Death hushed all bitter differences of opinion, and the whole state united to mourn his loss. His last appearance in public was in March, 1863, when in an address to the people of Houston he said: "I have been buffeted by the waves, as I have been borne along Time's ocean, until, shattered and worn, I approach the narrow isthmus which divides it from the sea of eternity beyond. Ere I step forward to journey the pilgrimage of Death I would say that all my thoughts and hopes are with my country. If one impulse arises above another, it is for the happiness of these people: the welfare and glory of Texas will be the uppermost thought while the spark of life lingers in this breast."

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#### MURRAH'S <sup>14</sup> ADMINISTRATION

[*Fletcher S. Stockdale, Lieutenant-Governor*]

(1863 — JUNE 17, 1865.)

**General Banks on the Coast.**—Late in 1863, General Banks took possession of Brownsville, Corpus Christi, Aransas Pass, Indianola, and other points on the coast, but did not hold them long. The next March, Generals Banks and Steele tried to enter Texas by way of Shreveport and the Red River, but were defeated at the Battle of Mansfield. Northern troops troubled Texas no more.

**Few Battles on Texas Soil.**—Texas was in the extreme southwest corner of the Confederacy; her population was scant. There was so much to engage the attention of the Northern armies, at the great centers of action, that they had little time to think of Texas, nor did they deem it necessary to send large forces into her boundaries. The battles fought in the state were not of great importance,

but her sons covered themselves with glory upon many a well-fought field beyond the Mississippi. Hood's, Ross' and Granbury's brigades, the Terry Rangers and the 11th Texas Cavalry were famous for their daring bravery.<sup>15</sup>

**Condition of Texas.**— While Texas suffered from the war, yet her condition was much better than that of the other Southern states. She had perhaps 75,000 men in



Governor Murrah

the Confederate service; she voted money in generous sums; her people often gave up their private property; she endured the miseries of the conscript and of martial law; her mothers, wives and sisters knew many a heartache. But while the people in other Confederate states suffered

from hunger, the broad prairies of Texas teemed with rich harvests. No hostile army invaded her territory. She got salt from her own lakes in the south-west. She took her cotton to the Rio Grande and there exchanged it for such goods as the Mexican market afforded. The military board, of which the Governor was chairman, established factories for the making of articles

used in war. The Huntsville Penitentiary turned out 2,000,000 yards of cloth. Texas was well called the storehouse of the Confederacy. Many refugees from Arkansas, Louisiana, and Mississippi fled to Texas.

**Close of War.**—For four years the South had struggled against fearful odds. Having done all that mortals could, in 1865 she wisely gave up the conflict. After General Lee, idolized by the South, respected by the North, surrendered his sword (April 9, 1865), the remaining Southern forces yielded rapidly. General E. Kirby Smith made formal surrender of his department, which included Texas.

**Last Battle of the War.**—The last shot in the war was fired on Texas soil May 13, 1865, at Palmito on the Rio Grande. Near the grounds already made historic by the battle of Palo Alto, there was encamped a small band of Confederates under General J. E. Slaughter. Colonel Barret sent a force of Federals from Brazos Santiago to march upon Brownsville. The Southerners came to the defense of the town and a spirited engagement followed, in which the Texas cavalry charge, under Colonel Ford, was especially heroic. The Federals were forced to retreat. So ended the final struggle in what, may God grant, shall be the last civil war ever to come upon our beloved country.

**Lawlessness.**—In his message to the legislature, May, 1865, Governor Murrah said: "The voice of the law is hushed in Texas. It is a dead letter—an unhonored thing upon the pages of the statute-book." The state was now filled with weary, heartsick soldiers returning home. When one remembers the unhappy condition of those men, how much they had suffered, and how dark the future appeared, he will not wonder that a few among them grew desperate, as there was no law to

restrain them. On June 11, the state treasury was robbed. At first only public property suffered, but soon private property was taken. Worn out in mind and body, finding himself powerless to enforce his commands, and not knowing what dangers the future might have in store for him, the distressed Governor took refuge in Mexico.

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## MILITARY RULE AND TIME OF RECONSTRUCTION

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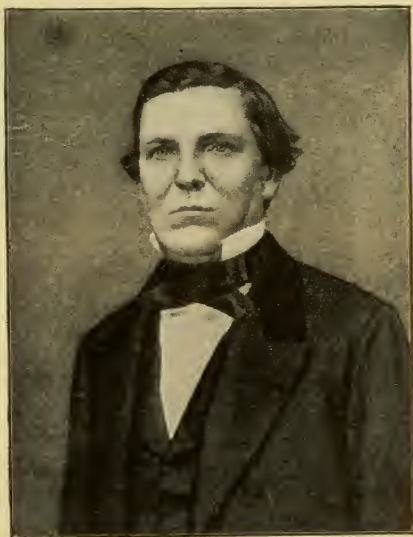
### HAMILTON'S ADMINISTRATION <sup>16</sup>

(July, 1865 — August, 1866.)

**General Granger in Command.**—On June 19,<sup>17</sup> 1865, General Granger, of the United States army, took command of Texas. He proclaimed the freedom of all slaves and declared void all laws made by the legislature since Texas seceded.

#### **Hamilton Appointed Governor.**

—On June 17, Andrew Johnson, President of the United States, appointed A. J. Hamilton as provisional governor of Texas. When in July Governor



Governor Hamilton

Hamilton reached the state he showed a desire to do his duty both to Texas and to the Union. He issued a proclamation, advising the negroes to prove themselves worthy of their freedom by obeying the law, remaining with their former masters and working for moderate wages. He told them the United States government had no intention of giving them property and warned them against believing stories about "forty acres and a mule" to be presented each freed slave.

**Reconstruction Convention.**—The Governor called for an election of a convention that should reconstruct the state government. No one was permitted to vote at this election except those taking an oath prescribed by the President. The convention met, February, 1866, at Austin. It declared "secession a nullity," and gave up all rights to such action; all debts made for the carrying on of the war or for the support of the Confederacy were made invalid; all the proceedings of the Convention of 1861 were rendered null and void. The Constitution in force before the war was again put into effect. An election for state officers was held the last Monday in June, 1866. J. W. Throckmorton was chosen governor, and George W. Jones lieutenant-governor.

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## THROCKMORTON'S<sup>18</sup> ADMINISTRATION

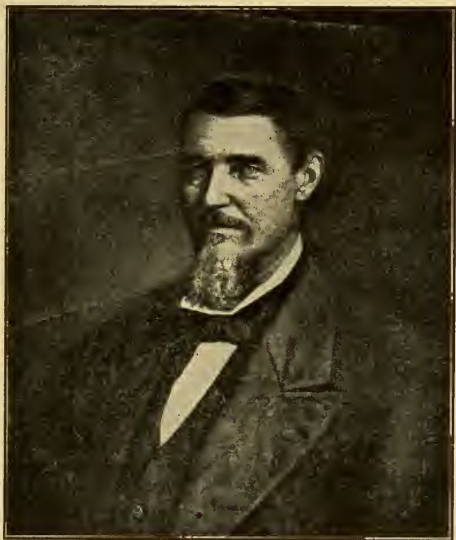
[*G. W. Jones, Lieutenant-Governor*]

(AUGUST, 1866 — AUGUST, 1867.)

**The President and Congress.**—At this time President Johnson and Congress were at enmity. Whatever Johnson favored, Congress opposed. The student who keeps this in mind will not be surprised to find many changes and inconsistencies in the government of the seceded states.



**Texas Again Under Military Rule.**—In March, 1867, Congress passed a bill placing the South again under military rule. The President vetoed the bill; Congress passed it over his veto. The South was divided into five military districts, and General Sheridan was made military commander of District Number 5, which included Texas and Louisiana. Some four thousand troops were stationed in the state, under the command of General Griffin, with headquarters at Galveston. All civil elections were forbidden until they should be



Governor Throckmorton

ordered by the general government. The tests of registration were made more severe; no one could hold office who was unable to take the "iron-clad oath."<sup>19</sup>

**Governor Removed.**—The Radical Party in the North did not trust the South. They felt we would not grant the negro full rights unless forced so to do. Hence, they demanded military rule. The South claimed, "We have been admitted again to the United States as states. Hence, we have a right to rule ourselves by civil officers, not to be ruled over by soldiers, some of whom are our former

slaves." During these trying times, Governor Throckmorton did all in his power to carry out the commands of Sheridan's officers, and yet act justly toward his state. In spite of this, on July 30th, he was removed by General Sheridan, and E. M. Pease was appointed governor.

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## PEASE'S ADMINISTRATION

(AUGUST, 1867 — SEPTEMBER, 1869.)

**General Hancock.**—Sheridan was now removed, and General Hancock was placed in command of Texas. Hancock forbade the military to interfere to such an extent with civil affairs; he encouraged the people to take matters into their own hands; he made the registration laws more lenient. But this displeased the rabid leaders of Congress, and Hancock <sup>20</sup> was displaced.

**Convention Called.**—In 1868 it was decided to call a convention that should form a new state constitution according to the instructions of Congress. This was done with a view of gaining the re-admission of Texas to the Union. Little interest was taken in the matter by the majority of the best citizens, who seemed to have fallen into a state of indifference concerning all public matters. On June 1 the convention met in Austin. Two opposing factions sprang up, and great bitterness of feeling was shown. After a session of three months, which cost the state \$100,000, the convention adjourned without being able to form a constitution. In December they met again, and finally in February, 1869, amid the greatest confusion, no quorum being present, the convention ceased to exist. Through the efforts of General Canby, then military commander of Texas, from

the rough copy of the minutes of the convention, a constitution was prepared to submit to the people.

**Governor Pease Resigns.**—Governor Pease, feeling that he could do neither himself nor the state justice while he was under the control of military officers, resigned, September 30, 1869.

**Constitution Adopted.**—In November, 1869, the new constitution was ratified by the people. At the same time, according to military orders, an election for state officers was held, and Edmund J. Davis was chosen governor.

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### DAVIS'S <sup>21</sup> ADMINISTRATION

[*J. W. Flanagan, Lieutenant-Governor.*]

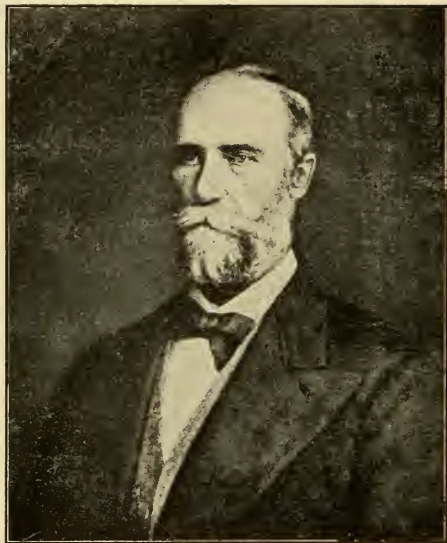
(1870–1874).

**Texas Re-admitted to the Union.**—In February, 1870, the Texas legislature ratified the fourteenth and fifteen amendments <sup>22</sup> to the United States Constitution. On March 30, 1870, by act of congress, Texas was re-admitted to the Union. Her senators and representatives once more entered the halls of congress and military rule was withdrawn.

**Work of Twelfth Legislature.**—The legislature that met April 1870 passed a Homestead Law, granting to every married settler one hundred and sixty acres, and to each single settler eighty acres of land from the public domain. Laws were enacted for building up a system of public schools. Much bitter feeling was aroused by the legislature's giving the governor power to proclaim martial law and to suspend the writ of habeas corpus, a power that Governor Davis used more than once. The masses of the people were also opposed to the severe

election laws enforced and to the establishment of a state police force largely made up of negroes, this force being under the direct control of the governor.

**Hope for the People.**—With the return of civil authority, however, the prospects grew brighter for the thousands of Texans who had served in the Southern



Governor Davis

army. Congress passed a bill removing disabilities from the majority of the ex-Confederates. Those who were not included in this list could secure the full rights of citizenship by applying to Congress; the "iron-clad oath" was no longer required. The Texans awoke from their lethargy

and as early as 1872 the Democrats had a majority in the lower house of the legislature and had elected all congressmen.

**Austin Again Chosen.**—In 1872, by popular vote, Austin was once more chosen to be the capital of Texas.

**Election Scenes Exciting.**—As Governor Davis had been elected for four years, the year 1873 called for the election of state officers. The legislature passed (April,

1873) a bill changing the districts of the state and thus calling for a new election of senators and representatives. The Democrats nominated Richard Coke and Richard B. Hubbard for governor and lieutenant-governor. Governor Davis was a candidate for re-election. The campaign was intensely exciting; the result showed a majority of at least fifty thousand for Coke and Hubbard and for a Democratic legislature. A question as to whether the election law was constitutional was raised

by the opposing party. The matter was referred to the State Supreme Court, which body decided the law to be unconstitutional. Governor Davis immediately issued a proclamation, forbidding the convening of the fourteenth legislature, and denying that it had legal existence;

the thirteenth legislature was reconvened. The newly elected members of the fourteenth legislature paid no attention to this proclamation; they hastened to Austin, took possession of the upper story of the Capitol, organized, and went to work. Governor Davis refused to recognize them, or hold any communication with them. The night of January 13, 1874, will long be remembered. The ground-floor of the Capitol was occupied by Davis, his officers, and a company of negro soldiers; above, were the fourteenth legislature, their



Guy M. Bryan

sergeants-at-arms, and guards. The senate and house immediately organized; Guy M. Bryan<sup>23</sup> of Galveston was chosen Speaker of the House. Late that night, the election returns were counted, and the legislature solemnly declared Richard Coke to be governor of Texas. The gravest fears were entertained, lest the night might close with bloodshed, but happily such was not the case. After a few days Davis retired from the governor's office in the Capitol, and Coke took possession.

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## TEXAS OF TO-DAY

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### COKE'S ADMINISTRATION<sup>24</sup>

[*Richard B. Hubbard, Lieutenant-Governor*]

(1874-1876)

**Fears of Interference.**—Though Coke and Hubbard were installed in office, yet the state was by no means at ease. It was feared that the United States would interfere, as Davis had appealed to President Grant for aid. The President wisely answered that Texas was now a state of the Union, and must manage her own internal affairs. Davis, seeing there was no chance for him to regain his power, retired from the field.

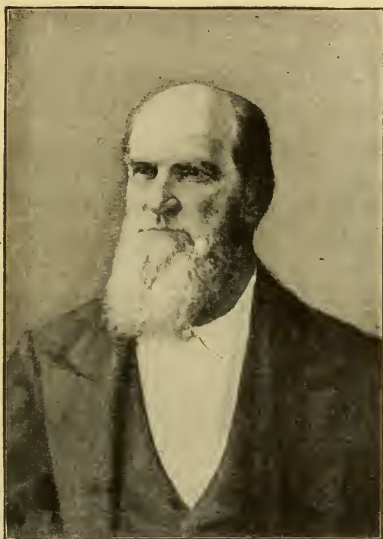
**Difficulties.**—Difficulties beset the new administration on every hand. At the close of the war, Texas had no debt worthy of mention; in 1874 she owed *three and a half millions, besides various undetermined claims*. Many of the taxes had been left for years uncollected. The credit of the state was low.

**How These Difficulties Were Met.**—Governor Coke employed the same strong business talent in state affairs that he had used successfully in private life. The laws



for collecting taxes were strengthened. An agent was sent East to sell State bonds. In every department of the government true economy was practised. The wisdom of this course was quickly proved, for Texas bonds soon increased in value.

**The Constitution of 1876.**—The Constitution adopted in 1869 was unpopular. The state officers and legislators found it impossible to remedy many of the evils then existing so long as this constitution was in force. In September 1875, a Constitutional Convention met at Austin. After two and a half months of hard work, they presented the Constitution we now have. The Constitution was ratified (February 15, 1876)



Governor Coke

by the people, the majority being nearly a hundred thousand, while, at the same time, Coke and Hubbard were reelected.

**Agricultural and Mechanical College.**—Texas received from the United States land scrip for one hundred and eighty thousand acres, for the founding of an Agricultural and Mechanical College. The college was located at College Station, four miles from Bryan, and opened its doors October 4, 1876.

**Coke Resigns.**— In May, 1876, Governor Coke was elected to the United States Senate. As he was not to take his seat in the Senate until March, 1877, he did not resign the governorship until December, 1876.

## HUBBARD'S ADMINISTRATION <sup>25</sup>

(December, 1876–1879)

**Penitentiaries.**— The Huntsville penitentiary had been leased for a term of fifteen years. Complaints were constantly being made



Governor Hubbard

as to the cruel treatment of the convicts, and other matters connected with the management. Governor Hubbard investigated the matter, and found truth in the complaints. He had the state again to assume control of the penitentiary. In a short while, it was re-leased to responsible parties; the rent brought a handsome sum

above all expenses. During this administration, the penitentiary buildings at Rusk were erected.

**Frontier Protected and Crime Punished.**— Governor Hubbard was vigorous in his defense of the frontier,

and the results were encouraging. For years bands of robbers and other lawless characters had held portions of the state in terror. The governor offered heavy rewards for the capture of such persons. As a result criminals who had long laughed at the laws were brought to justice. A battalion of Rangers was detailed for frontier duty in order to protect the settlers from Indian and Mexican raids.

Land forgeries had been extensively practised, some of the guilty ones being men in the higher classes of society: these forgers were brought to trial and several of them were sent to the penitentiary.

**Debt and Immigration.**—In spite of the growing expenses of the state, the public debt was greatly reduced. In 1876 at the Centennial Exposition in Philadelphia Governor Hubbard delivered an address, setting forth the advantages Texas offered the immigrant. This speech was read throughout the United States; it was translated into French and German, and scattered over Europe. The result was that during the next few years Texas received a vast number of immigrants from Europe and America; from 1870 to 1880 the population and the wealth of our state nearly doubled.

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## ROBERTS'S ADMINISTRATIONS<sup>26</sup>

[*J. D. Sayers and L. J. Story, Lieutenant-Governors*]  
(1879-1883)

**Governor's Policy.**—The most characteristic feature of this administration was the strict "Pay-as-you-go" policy adopted by Governor Roberts. By his financial skill the state was able to pay all expenses, to reduce the public debt one and a half million dollars, to provide for

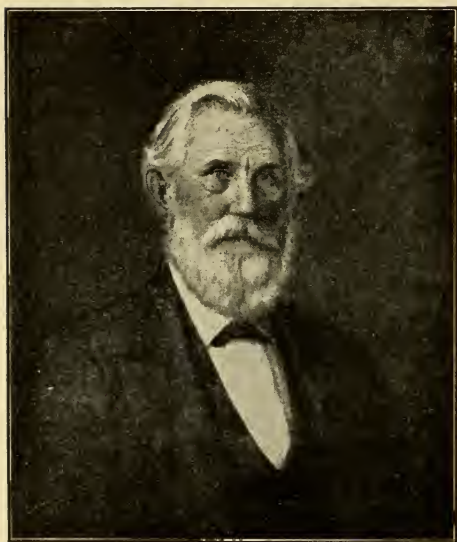
lower taxation, and yet have a handsome balance left in the treasury.

**Prairie View Normal.**— During this period the Prairie View Normal, a combination of a normal school and an agricultural and mechanical college, was founded for the training of colored teachers.

**Sam Houston Normal Institute.**— In 1879 the first state normal school was opened at Huntsville; it was

named in honor of General Houston.

**School Legislation.**— Governor Roberts was a zealous friend to public education. In 1880 the governor and the State Board of Education established summer normal institutes at various cities in the state; these normals were sup-



Governor Roberts

ported by the state and the Peabody fund,<sup>27</sup> and did much good in training and encouraging teachers. In 1881 the legislature passed a law providing for the organization of a State University. The one million acres of land that had been set aside for the university were selected and surveyed. The legislature also set aside some three hundred leagues of public land, four

leagues of which were to be given to every county that should be organized after that date. This land was to be used for school purposes.



Galveston Sea Wall

**Capitol Burned.**—On November 9, 1881, Austin was thrown into great excitement by the accidental burning of the Capitol. Many valuable state papers and relics perished in the flames. In 1882, a temporary building was erected at the foot of Capitol Hill.

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### IRELAND'S ADMINISTRATIONS<sup>28</sup>

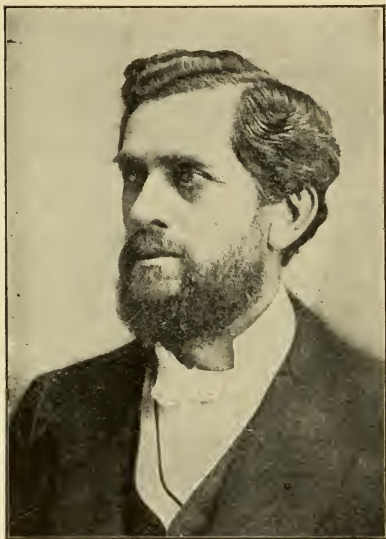
[*Marion Martin and Barnett Gibbs, Lieutenant-Governors*]

(1883-1887)

**School Laws.**—Among the important improvements in the school laws during Governor Ireland's administrations were: the creation of the office of State Superintendent of Public Instruction; the investment of the permanent school fund in six per cent. bonds; the stopping of the sale of school lands at fifty cents per acre.

**State University.**—As early as 1839, the Congress of the Texan Republic set apart forty acres of land in the future capital for the grounds of a State University.

Fifty leagues of the public land were reserved for the support of the University. In 1881, a general election was held to locate the University. Austin was selected; and on College Hill, that had forty years before been chosen as a site, the corner stone of the University of Texas was laid November 17, 1882; and its doors were opened to students September 15, 1883.



Governor Ireland

**Asylums.**— The eighteenth legislature, guided by the recommendation of the governor, made appropriations for the enlargement or improvement of all asylums, and established a second asylum for the insane at Terrell.

**Fence-cutters.**— For many years the public lands of Texas had been a free pasture for thousands of cattle. In 1881 and 1882, this land was placed on the market.

It sold rapidly, the buyers being mostly wealthy cattle men, who bought immense tracts. They at once began building wire fences about their property. The country was so sparsely settled that there was no one to keep the "cattle kings" from doing as they pleased; hence it happened that often they did not stop with fencing their own land; hundreds of acres of school land were fenced.



Few roads were left. Small lots belonging to poor men were either inclosed within these large fences, or they were so cut off from all roads as to be worthless. At length, a strong feeling arose against the cattle men; their fences were cut again and again. In January, 1884, the governor called a spécial session of the legislature to settle the troubles. It was decided that all public roads must be left open; that gates must be made every three miles; that persons whose land had been fenced without their consent should have full redress; that fence-cutting should be considered a felony. As soon as it was seen that the governor intended to execute these laws, the troubles ceased.

**Greer County Question.**—The strip of land known as Greer County was considered a portion of the Texas Republic, but as early as 1859 the United States made claim to it. As we have seen, in 1819, a treaty had been drawn up between the United States and Spain, defining their boundary line; the Red River formed a portion of the boundary. When, years after, this river was more fully explored, it was found to have two forks. Texas claimed the north fork to be the principal fork, and hence the Red River meant in the treaty. This would bring Greer County in Texas. The United States claimed the south fork to be the one meant by the treaty, and this would throw Greer County north of Texas, in the Indian Territory. As the county became more thickly settled, the question increased in importance. In 1885, Congress decided to have four commissioners appointed by the President to meet four commissioners from Texas, in order that the matter might be settled. The Texas Legislature agreed. The commissioners met, February, 1886, and spent several weeks in carefully investigating the matter. When the final vote came, the

four United States Commissioners favored the south fork as the Red River of the treaty, while the four Texas Commissioners favored the north fork. President Cleveland in 1888 issued a proclamation, warning settlers against buying property in Greer County. Texas brought suit against the United States; in 1896 the United States Supreme Court decided the case against Texas.

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### ROSS'S ADMINISTRATIONS<sup>29</sup>

[*T. B. Wheeler, Lieutenant-Governor*]

(1887-1891)

**Prohibition.**—The twentieth legislature decided to submit to the people an amendment to the state constitution prohibiting the sale of intoxicating liquors in Texas. After one of the most exciting campaigns in the history of the state, the amendment was defeated, August, 1887, by a majority of over 90,000.

**Drought.**—The summer of 1887 will long be remembered on account of the terrible drought that afflicted Texas, especially in the west. Crops were literally burnt up; cattle died by hundreds; many settlers were forced to seek new homes.

**Our New Capitol.**—In 1875, the Constitutional Convention appropriated three million acres of land for building a new capitol. The burning of the old capitol, in 1881, made the proposed structure an immediate necessity; accordingly the work was begun in 1883. On March 2, 1885, in the presence of a great multitude, the corner stone was laid; the dedication took place in May, 1888. It is built of granite quarried in Burnet County, is three stories above

the basement, is five hundred and sixty feet long, and two hundred and eighty-eight feet broad; the dome rises majestically to a height of three hundred and eleven feet. At the time of its erection it was only second in size to the Capitol at Washington, and was the seventh largest building in the world.

**Immigration Movement.**— Strong efforts were made during 1888 to bring more immigrants into Texas; clubs were organized, whose duty it was to arouse public interest, to scatter abroad literature showing the advantages of Texas, and to send out speakers to other states. The railroads gave reduced rates, and extensively advertised the “Texas Excursions.” The movement was a success.



Governor Ross

**Money Received from the United States.**— When Texas was admitted to the Union she expected as one of her privileges that her border would be protected by the United States troops. But such defence was not provided in all cases and the state was forced to incur

heavy expenses in fitting out companies of her own rangers for service on the border. She appealed to the government at Washington to refund this money, and, after much delay, in answer to the request, nearly a million dollars was paid into the Texas treasury. This sum was in effect distributed among the people by reducing their taxes for one year (1888) from twenty-five to ten cents on the hundred dollars.

**New Public Institutions.**—The State Orphan Asylum at Corsicana, the Reformatory for Boys at Gatesville, and the Southwest Asylum for the insane at San Antonio were established during this administration.

**General Prosperity.**—This was a period of general prosperity. Every branch of trade flourished, railroads were built rapidly, the value of property increased, taxes were reduced, the state was on a cash basis, and the school system was improved.

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## HOGG'S ADMINISTRATIONS <sup>30</sup>

[*George C. Pendleton and M. M. Crane, Lieutenant-Governors*]

(1891-1895)

**President Harrison.**—In 1891 President Harrison came to Texas and was entertained at Texarkana, Palestine, Galveston, Houston, San Antonio, Del Rio and El Paso. Texas owes President Harrison a debt of gratitude for his interest in securing deep water for Galveston.

**Improvement of Galveston Harbor.**—During this period Congress appropriated six and one-half million dollars to improve the harbor and to secure deep water at Galveston: in later years this appropriation was increased to more than \$10,000,000. If this effort is successful, it will result in untold good to the West and South, as it will open to them direct communication with the countries of Central and South America, and will make Galveston one of the most important ports in America. She already ranks second as an export city in the United States.

**Railroad Commission.**—The twenty-second legislature in 1891 passed an act to establish a Railroad Commission, consisting of three



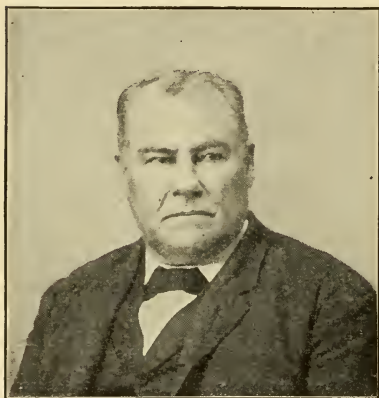
Governor Hogg

members. The duties of the commission were declared to be as follows: To adopt, regulate, and enforce rates to be charged by the railways of the state, and to prevent discrimination against persons or places. Opponents of the measure tested it on the ground that it was not constitutional; a test case was brought before the United States Supreme Court. It was decided that the law was constitutional. Governor Hogg appointed, as

chairman of the commission, Senator John H. Reagan <sup>31</sup> of Palestine.

**Alien Land Law.**—In April, 1891, was created a law forbidding aliens (that is, persons who are not citizens of the United States) from holding lands in Texas. In 1892, Governor Hogg called an extra session of the twenty-second legislature to consider, among other matters, the changing of this Alien Land Law. The law was altered so that as it now stands, it provides that no

alien shall acquire title to or own any land in Texas, with the following exceptions: The law does not apply to persons owning land at the time the bill was passed; aliens may own lots or parcels of land in towns, villages, and cities; aliens who become inhabitants of the state may have all



Senator John H. Reagan

the rights to possess land that the citizens have; non-resident aliens who acquire real estate in Texas are given ten years in which to dispose of it; aliens who are not of age, who come into the possession of Texas lands may hold such lands till ten years after reaching majority.

**Confederate Home.**—The John B. Hood Camp of Confederate Veterans had previously established in Austin a home for poor, maimed, and disabled ex-Confederate soldiers. The number of veterans increased so rapidly that the Camp found itself unable to care for



them and the state was petitioned to assume control of the Home. In February, 1891, the legislature granted the petition; all property belonging to the Home was made over to the state, and the name was changed to the "Texas Confederate Home."

**Sugar Bounty Refused.**—In order to encourage the sugar industry, the government offered a bounty of two cents per pound on all sugar made in the United States. The state of Texas owns large sugar farms, on which she works her convicts; such quantities of sugar were made by the state that the bounty amounted to \$40,000 per year. The legislature passed a bill to comply with certain conditions, made by the United States Government and to accept the bounty; Governor Hogg, claiming that the government had no right to grant bounties, vetoed the bill.

**Division in Democratic Party.**—In 1892 the Democratic state convention met in Houston. Differences of opinion arose that finally resulted in a division of the convention, and for the first time in the history of the state there were two Democratic nominees for governor, James S. Hogg and George W. Clark, of Waco. After an exciting campaign, Governor Hogg was reelected.

**Coxey Army.**—Amid the general unrest that pervaded various sections of the country during 1893 and 1894, Texas was alarmed over the entrance of a large body of men bound for Washington City, to join Coxey's Army. Coxey was the leader of a band of unemployed men, who organized for the purpose of demanding the passage of various laws by Congress. While outside Texas territory, these men had forcibly seized a train of cars, nor were the railroad officials able to get rid of them before they had penetrated some distance into the state. Governor Hogg made a demand on the officials

of the road over which they came into the state, that they carry them out. The officials at first refused, saying there was no law by which they could be compelled to transport passengers free. Nevertheless after a few days of suspense as to what the future actions of the Coxeyites might be, Texas was relieved by the railroads, which transported them (1894) beyond her borders.

**The Stock and Bond Law** (1893) has for its aim the prevention of the extravagant issue of bonds by towns and cities; also the protection of stockholders in railroads from bonds issued by fraud and from "watered stock" (stock issued beyond the real value).

**Board of Pardon Advisors** (1893).—On the recommendation of Governor Hogg, the legislature created a Board of Pardons, whose duty it is to examine into and advise the governor concerning all applications for pardon. This board was created in order to relieve the executive of the immense amount of work that a careful investigation of pardon petitions demands.

**Austin Dam.**—In 1893 the Austin Dam across the Colorado River was finished. This magnificent granite structure, costing more than \$1,000,000, was said to be the greatest work of the kind in the world.

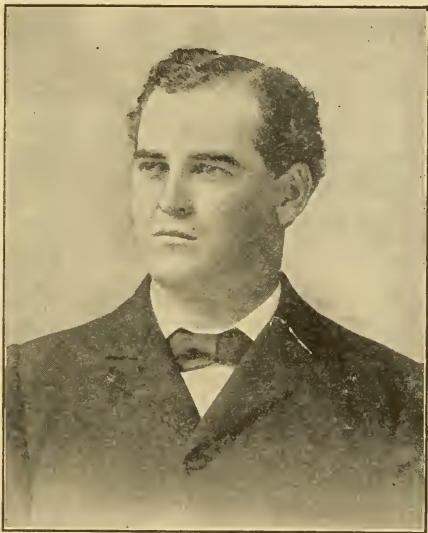
**Financial Troubles.**—During Governor Hogg's administration a panic swept over the whole country. The taxes had been reduced and this, added to the shrinkage in the value of property, and the necessary increase in the expenses of the state, all combined to make the years 1893 and 1894 "hard times" in Texas. The state treasury was empty, and the hundreds of teachers and other state employes were forced either to sell their vouchers at a heavy discount, or to wait months for their salaries.

CULBERSON'S ADMINISTRATIONS<sup>32</sup>

[George T. Jester, Lieutenant-Governor]

(1895-1899)

**School Tax.**—When the twenty-fourth legislature met (January, 1895), Governor Culberson recommended a number of important matters. He called special attention to the danger that threatened our public schools from lack of money and showed that by the close of 1895 the schools would be heavily in debt. Acting as he recommended, the legislature raised the school tax from twelve and one-half to twenty



Governor Culberson

cents on the one hundred dollars for the year of 1896, and to eighteen cents for the succeeding year.

**Land Leases.**—It was found that men who had bought state land on credit failed to pay either principal or interest. Renters failed to pay rent; many buyers and renters gave up the land entirely. Large tracts of lands lay idle. The result was that the schools lost large sums of money; other departments of the state govern-

ment also suffered. As the choice sections of this public land had been sold and paid for years before, the land for sale as late as 1895 was inferior. Hence the legislature reduced the rent of public lands, as well as the interest to parties who wished to buy on time. This act encouraged renters and buyers and caused a decided increase in the revenue.

**State University.**—The regents of the State University were given power to create the office of president of the University, and to manage all University lands. This action has done much to improve the usefulness of the University. Doctor Leslie Waggener, the first president, rendered noble service.

**Confederate Home.**—As already stated, in 1891 the Confederate Home became the property of the state. It was supported by fees received from various state departments. This plan not proving satisfactory, it was given (1895) a regular appropriation raised by direct taxation.

**Anti-trust Laws.**—A trust is an organization formed mainly for the purpose of regulating the supply and price of articles. It is charged against trusts that they are dangerous to the best interests of the American people; that there are two great evils arising from all trusts: That they make and hold high prices; that they combine many small companies into one large company, thus reducing the working force and throwing men out of employment. As early as 1889 a law was made against trusts. In 1895 a much stronger law was passed.

**Arbitration Law.**—Disputes often arise between an employer and his employees; these disputes sometimes result in strikes that cost much loss of money and sometimes even loss of life. To prevent these effects a law was made that enables the disputing parties to select cer-

tain unprejudiced men and lay before these men their grievances. These men, or arbitrators, as they are called, hear both sides of the story and then decide which party is in the right.

**Confederate Reunion.**—In May, 1895, the reunion of the Confederate Veterans occurred in Houston. The attendance from all Southern states was even larger than the most sanguine expected, and the proceedings were most harmonious. There were present many Northern soldiers, who were treated as honored guests. Texas in general, and Houston in particular, left nothing undone to make the reunion a success.

**Special Session.**—It was advertised throughout the length and breadth of America that a great prize-fight would take place in Texas during October, 1895. Governor Culberson said Texas should not be disgraced by having such a display of barbarism within her borders. He called an extra session of the Legislature to make a law strong enough to enable him to prevent the prize-fight. Acting upon his recommendation, the Legislature (Oct. 3, 1895) made prize-fighting a felony, punishable by confinement in the penitentiary. This forced the prize-fighters to go elsewhere. This action of the governor and legislature was greeted with enthusiasm by the entire state.

**Governor Vetoes Appropriation Bill (1897).**—The twenty-fifth legislature passed a larger appropriation bill than Governor Culberson thought the state could afford. He vetoed the bill; no other governor had ever vetoed the appropriation bill. The legislature adjourned without passing another appropriation bill. The governor immediately called a special session. The appropriation was reduced \$400,000 and was then signed by the governor.

**Fee Bill.**—Some of the state and county officers re-

ceived no fixed salaries, but obtained their compensation from fees. These fees had grown to be enormous. The fee bill made sweeping reductions and thus saved the state a heavy expense.

**Spanish-American War.**— April 21, 1898, the United States declared war against Spain. President McKinley called upon Governor Culberson for four regiments of infantry and one of cavalry, which were promptly furnished, and, in addition, the First United States Volunteer Infantry regiment (Riche's Immunes) and about one battalion of Hood's Immunes were composed almost entirely of Texan volunteers. The regular army recruited a large number of men from our state, and many Texans joined Roosevelt's Rough Riders upon its organization in San Antonio and won fame at La Guasimas and San Juan Hill. The number of men furnished by Texas for service in this war totals not less than ten thousand.<sup>33</sup>

**Special Features of Culberson's Administration.**— Governor Culberson vetoed more bills than any other governor; the people, as a rule, agreed with him.

The trial of both civil and criminal cases was hastened. The criminal laws were expressed in simpler language, so that all classes of people might understand them.

The cause of public education was strengthened.

The finances of the state improved. Not only were all current expenses of the state met, but \$1,300,000 was paid out on deficiencies.

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## SAYERS'S ADMINISTRATIONS

[*J. N. Browning, Lieutenant-Governor*]

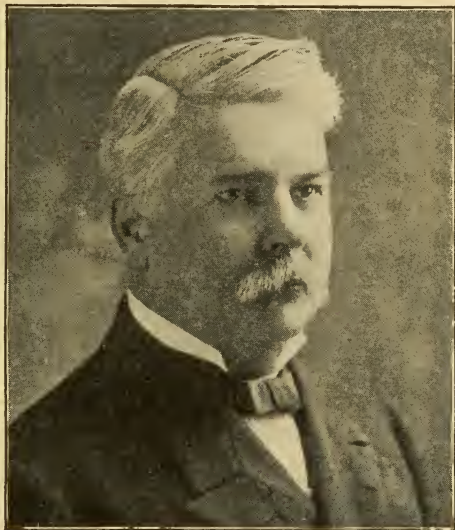
1899-1903)

**Brazos Floods.**— Terrible floods swept over the whole Brazos valley in August, 1899, destroying seven and a



half million dollars' worth of property and laying waste 600 square miles of our richest farming lands. Governor Sayers called for assistance to relieve the distress, and distributed more than seven hundred thousand dollars in money and supplies.

**Ruin of the Austin Dam.**—After an unusual down-pour of rain, a section of the great Austin dam (April 7, 1900) suddenly gave way; the waters of the Colorado poured in terrific torrents over the valley, causing some loss of life and great loss of property. Austin lost not only the million dollars spent in building the dam, but also her pleasure resort, beautiful lake Macdonald.



Governor Sayers

**Galveston Storm.**—On September 8 and 9, 1900, the most severe hurricane that has visited North America swept over the southwestern coast. Galveston city and county suffered most. The barometer and other weather indications warned the people of approaching danger, but little attention was paid the signals; even on Saturday morning, when the waters rose, when the rain fell with

violence, when the wind grew higher and higher, people thought the storm would amount to little. By 8 P. M., however, the wind had increased to one hundred and twenty miles an hour, and Galveston realized that the awful calamity was upon her: men, women, and children battled for life against the waters of the bay, the waters of the Gulf, and — far more cruel than these — the awful fury of the gale; thousands of houses were shattered or tossed like straws upon the waves; thousands of human lives were lost; in the darkness, mothers had children swept from their arms; fathers, in an agony of despair, saw wives and little ones perish while they were powerless to save. Sunday morning dawned clear and bright, but surely the sun never looked down upon a sadder sight; our fair "City by the Sea" lay in ruins; everywhere were death and desolation. For hours Galveston was entirely cut off from the outside world. Bravely did the people of the stricken city take up the burden laid upon them. The militia was ordered out to stop looting and violence. Men who had never known physical labor worked like slaves to clean the city and to burn the corpses that both the earth and the waves refused to keep. Gentle women toiled day and night nursing the injured, feeding the hungry, clothing the naked, caring for the orphans, and comforting the broken-hearted. As soon as the disaster became known, the whole civilized world hastened to send assistance.<sup>35</sup>

**Loss of Life and Property.**— It will never be known how many people perished in the storm. Governor Sayers in his official report places the number at six thousand; the property loss is estimated at \$40,000,000.

**Course of Governor Sayers.**— The sums contributed to the flood sufferers amounted to one and a half million dollars, besides a large amount of supplies of every kind.

Most of this passed through the governor's hands; too much praise cannot be given to the prompt and efficient way in which these funds and supplies were managed.

**Galveston's Courage.**—History has never shown a braver struggle than that made since the storm by the people of Galveston City and County. In 1901, in order to protect the city in future a contract was let for a concrete seawall about the island; this wall is sixteen feet wide at the base, sixteen feet high, and five feet wide on the top, curving from the bottom to the top on the Gulf side. The wall cost nearly \$1,500,000, the money being raised by the issuance of bonds, which were taken by the people of Galveston City and County.

**Commission Form of Government.**—As Galveston saw she must spend large sums of money to insure her safety, she obtained from the Legislature the power to elect five Commissioners instead of a Mayor and City Council. To these five men she entrusted all city affairs. So successful was the experiment that Houston, Waco, Austin, Fort Worth, Dallas and many cities in other states have adopted the Commission Form of government.

**Discovery of Oil.**—As early as 1896 oil was found in paying quantities at Corsicana. On January 10, 1901, the Lucas Well on Spindletop Heights, about four miles southeast of Beaumont, began spouting, and for nine days it was "the wonder and puzzle of the world." Before it could be controlled it was "shooting upward a tower of pure, crude oil 200 feet, and was wasting 70,000 barrels of oil per day." People from everywhere hurried to Beaumont; the crowd was enormous; fabulous prices were paid for land; other wells came in rapidly, and the excitement kept at fever heat. Within twelve months there were over 175 gushing wells on Spindletop. Oil has also been discovered at Sour Lake. While there are no

longer miraculous gushers at Beaumont or at other points, yet the oil industry in Texas has come to stay.

**Confederate Reunion.**—In April, 1902, Dallas entertained the Confederate veterans; every attention, every honor was shown these aged heroes, who gathered from all parts of the South to live over again the days of the past.

**Drought and Boll-Weevil.**—The years 1901 and 1902 were marked by severe and wide-spread droughts that caused a great decrease in crops. The Mexican boll-weevil made its appearance in many sections of the state, carrying ruin to the cotton crops.

**Railway Building.**—In this administration 1344 miles of railway were built, a marked increase on the seven years preceding, when the road building showed 886 miles. Electrical lines were also constructed, connecting Denison and Sherman, Dallas and Forth Worth.

**Art in Texas.**—Orders were given (1901) the famous sculptor, Elizabeth Ney,<sup>56</sup> for life-size marble statues of General Houston and Stephen F. Austin. These statues now stand in our state capitol, where, with impressive ceremony, they were unveiled January 19, 1903. In the Hall of Statuary in our national capitol at Washington two niches are reserved for each state. Later in 1901 Miss Ney was commissioned to fill these with the statues of Austin and Houston and also to execute a suitable memorial to the gallant Albert Sidney Johnston. So successful was this work that it was admitted to the palace of fine arts at the St. Louis Exposition. Governor Sayers and the twenty-seventh legislature may well be called the patrons of art.

**North Texas Normal.**—In September, 1901, the North Texas Normal School at Denton was opened.

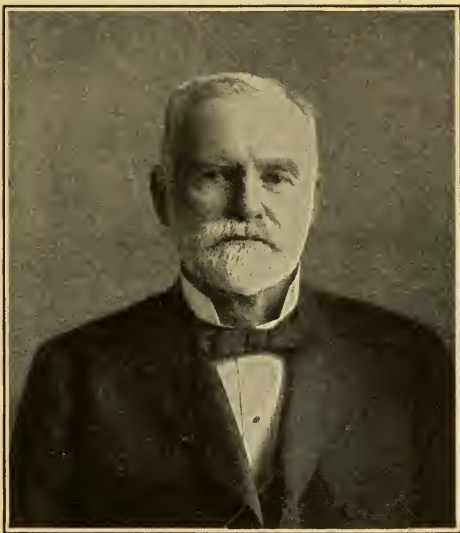
LANHAM'S ADMINISTRATIONS<sup>37</sup>[*George D. Neal, Lieutenant-Governor*]

(1903-1907)

**Galveston County Taxes.**—In order to assist Galveston in raising the city so as to prevent another overflow, the legislature (1903) ceded to the city for fifteen years all state taxes, and three-fourths of the occupation taxes, in Galveston county: all state poll taxes collected in Galveston county except the portion belonging to the public school fund were also given to the afflicted city.

**Educational Matters** (1903).—Governor Lanham's administration was marked by special progress in educational matters.

The state public school age, was increased from seven to seventeen years. A bill was passed providing for the introduction of manual training into the state normals and the public schools. A special department of textile (pertaining to weaving) industry was added to the



Governor Lanham

Agricultural and Mechanical College. Arrangements were made to survey and to classify all mineral lands belonging to the University, the public schools and the

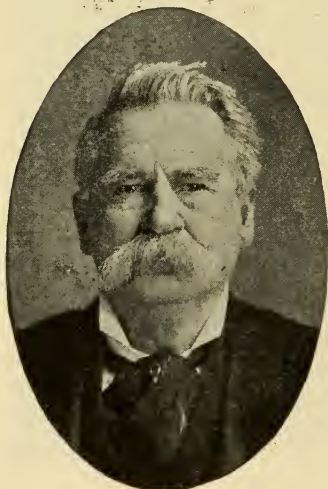
asylums. The Girls' College of Industrial Arts at Denton and the Southwestern Normal School at San Marcos began their first session in September, 1903.

**New Institutions.**—The colony for epileptics at Abilene was opened March, 1904. At the Austin Insane Asylum (1905) a Pasteur Institute was established for treating persons bitten by rabid animals.

**The Alamo Property.**—Through the untiring efforts of the Daughters of the Republic of Texas, in 1905, the legislature set aside \$65,000 to buy a supposed part of the old Alamo mission adjoining the chapel, which has belonged to the state since 1883.

**Railroads.**—Over sixteen hundred miles of railroad were built during this administration. December 31, 1906, Texas had 12,580 miles of railway.

**Terrell Election Law.**—Judge A. W. Terrell<sup>38</sup> of Austin was the author of a bill devoted to regulating and purifying all elections. This bill became a law in 1905.



Judge A. W. Terrell

**Irrigation.**—There are portions of Texas that bear no crops because there is not sufficient rain-fall; for years such lands were regarded as nearly worthless, but now the people have awakened to the powers of irrigation. In 1905 a bill was passed enabling the people to form irrigation districts, to levy taxes and

issue bonds for irrigating expenses. Large areas of land are thus being made valuable.



CAMPBELL'S ADMINISTRATIONS<sup>40</sup>

[*A. B. Davidson, Lieutenant-Governor, Legislatures  
Thirtieth and Thirty-first*]

(1907-1911)

**Governor Campbell.**—On January 15, 1907, Hon. Thomas Mitchell Campbell was inaugurated the twenty-fourth governor of Texas. Having been re-elected, he entered upon his second term January 19, 1909.



Governor Campbell

**Labor Laws.**—Among labor laws passed during these four years were:

1. The Bureau of Labor was made a separate department of state government. (1902.)

2. The State Mining Board was created to look after the safety of coal miners. (1907.)

3. Railroads were required to provide enough men in their train crews to handle trains safely; to equip all engines with electric headlights; to limit number of hours a man may work without rest in operating a train. (1909.) Railroad employees were given the same right in suits for damages that other people enjoy.

4. Employers were forbidden to blacklist employees.

**Tax Laws.**—How to levy taxes with justice both to the poor and to the rich has puzzled the people for ages. The thirtieth and thirty-first legislatures passed several laws striving to improve tax conditions.

The *Full Rendition Law* requires owners to place a fair market value on their property rendered for taxation. (1907.)

The *Intangible Asset Law* compels railroads to turn in much valuable property that had before escaped taxation. About one hundred and seventy-five million dollars have thus been added to the tax rolls. (1907.)

**Department of Agriculture.**—In 1907 the Department of Agriculture, with a commissioner at its head, was made an independent department. Its duties are to give intelligent aid to the toiling masses, thus helping them to increase the products of farms, ranches and orchards. A law was passed requiring the elements of agriculture to be taught in the schools of Texas. New stations were established in different parts of the state to experiment with the best and the newest methods in farming and fruit cultivation. The Agricultural and Mechanical College has charge of these stations.

**Free Pass Law.**—Railroad, telegraph and telephone companies were forbidden (1907) to give free passes to any one except their employees.

**State Bank Guaranty Law** forces all state banks to set aside certain funds to protect money deposited with them without interest. (1909.)

**A Great Fine.**—Trusts are forbidden in Texas. The Waters-Pierce Oil Company, that did a large business in Texas, was accused of being a trust, was found guilty, and was expelled and forced to pay, April 24, 1909, \$1,718,009.14. This was turned into the State Treasury to be used for the current expenses of Texas.

**Penitentiary Reform.**—The most thoughtful people of Texas had long felt that we were not keeping up with the world in prison reform. Upon the recommendation of Governor Campbell, the thirty-first legislature ordered a thorough investigation of the whole penitentiary system. The committee appointed from the legislature found so distressing a state of affairs that they asked the governor to call a special session of the legislature to consider the situation. This was done August, 1910. The legislature changed many conditions and created three commissioners, with full power to manage and to organize the penitentiaries according to the best methods. It is unfortunate that the commissioners are appointed for two years only, as these officers should be removed as far as possible from politics. During this crusade for prison reform the press did much to arouse and to educate the public conscience.

**School Laws.**—The community system in country schools was abolished (1909). All counties of 3,000 or more inhabitants were required to have a County Superintendent of Schools (1907). Money belonging to each school district must be placed so as to bear interest. This law has saved at least \$125,000 to the schools (1909). An amendment to the constitution was adopted in 1909, giving the people of school districts the right by a ma-

majority vote to tax themselves as much as fifty cents on the one hundred dollars for school purposes.

**West Texas State Normal School** was opened at Canyon City in 1910.

**Library Commission.**—In 1909 the State Library Commission was organized, to take charge of the state library, to acquire and to preserve all material possible relating to Texas history, and to aid students of legislative problems. No one did more to bring this about than Dr. George P. Garrison, for so many years the gifted and beloved Professor of History in the State University. He died July, 1910.

**The Conference for Education** held its first meeting February 22, 1907. It is open to all men and women who are interested in the schools of Texas. This conference has done much to arouse public interest by keeping educational matters constantly before the people.

**An Educational Administration.**—As seen from topics above, the four years, 1907-1911, mark an era in educational progress. Much credit is due Hon. R. B. Cousins and Hon. F. M. Bralley, who, as State Superintendents of Public Instruction, proved themselves wise leaders.

**Disasters.**—In 1907 a disastrous fire occurred in Houston, and a money panic prevailed throughout the country. Happily the panic soon passed. Floods destroyed ten million dollars worth of railroad property in and near Dallas (1908). A fire in Fort Worth in 1909 made homeless five hundred families. The loss was about four million dollars. A severe storm visited Galveston in 1909, but the sea wall stood the test bravely and the city suffered no damage.

**San Jacinto Battle Field.**—The thirtieth legislature in response to the request of the Daughters of the Re-

public, appropriated sufficient money to finish the purchase of the San Jacinto battle field and suitably to care for these historic grounds.

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## COLQUITT'S ADMINISTRATION<sup>41</sup>

[*A. B. Davidson, Lieutenant-Governor, Thirty-second Legislature*]

(1911—)

**The Campaign for Governor.**—Four of the leading men in the state, Railroad Commissioner O. B. Colquitt of Terrell, Attorney-General R. V. Davidson of Galveston, Hon. Cone Johnson of Tyler, and Hon. William Poindexter of Cleburne, announced in 1910 for Governor. The campaign was full of interest and excitement. Mr. Colquitt was chosen by a primary vote in July, was nominated in August by the Democratic convention, and was elected in November (1910). Tuesday, January 17, 1911, he was inaugurated with fitting ceremony the twenty-fifth Governor of Texas.

**Retirement of Senator Bailey.**—On September 6, 1911, Senator Joseph W. Bailey announced that at the end of his term as United States senator he would retire from public life.

**Home for Confederate Women.**—Texas established in Austin, October, 1911, a comfortable retreat for the aged widows of Confederate veterans. The Daughters of the Confederacy of Texas presented to the state a house and grounds for this home.

**Home for Consumptives.**—A retreat for consumptives was opened by the state at Carlsbad in June, 1912.

**Penitentiary Reform.**—Governor Colquitt aided the Penitentiary Commission in bringing about much needed reform. The system of leasing out convicts is gradually being abolished. After January 1, 1914, no prisoner will be leased or worked on shares. Only the most hardened criminals are forced to wear stripes. The health conditions and modes of punishment are much improved. Schools are rapidly being established, not only in the prisons themselves, but on farms and at camps where convicts are worked.

**Disasters.**—The State suffered heavy losses by fires at the Agricultural and Mechanical College during 1911 and 1912; by a freeze that ruined the Penitentiary cane crop, and by a fire that partially destroyed the Huntsville Penitentiary in 1911. Houston was again visited by fire in February, 1912. An epidemic of meningitis in 1912 would have proved most disastrous had it not been for the skilful management of the Board of Health.

**Prohibition Defeated.**—The people had expressed a wish to vote again upon an amendment to the constitution, prohibiting the manufacture and sale of intoxicating liquors in Texas. As a consequence, Governor Colquitt recommended, and the thirty-second legislature ordered that the amendment be submitted July 22, 1911. It was defeated by about 6,000 votes. Twenty-four years before prohibition had been lost by over 90,000 votes.

**Important School Laws.**—No school laws in the history of Texas are more far-reaching or more encouraging than those treated in the next two topics. Both were warmly recommended to the legislature by Governor Colquitt and State Superintendent Bralley.

**Rural High Schools.**—A lack of country high schools has always been a serious drawback to the 750,000 children on Texas farms and ranches. Boys and girls finish-





Governor Colquitt



Justice  
Dibrell

Chief Justice  
Brown

Justice  
Phillips

ing the primary and grammar grades are too young to be sent away to school, even if their parents have money to do this. The lack of high schools means therefore that thousands of young people stop their education with the lower grades, when, with good rural high schools, they might be well fitted for practical life or prepared for college without leaving home. The legislature made it possible in 1910 for common school districts to unite and organize a high school. The state offers to aid each district so doing.

**Regents for State Normals.**—Years ago, when the first State Normal was founded, its control was given to the Board of Education. This board was composed of the governor, the secretary and the comptroller. As, one by one, three other normals were added, the burden of control grew heavy. Each of the three state officials was too busy attending to his duties to have time or taste for such work. The board suffered and so did the Normals. The thirty-second legislature created a Board of Regents for the Normal schools. The governor appoints five men, and the state superintendent of education is the chairman of the board. Good results are already seen from this law.

**State's Best Record.**—For 1911-1912 Texas paid from the Treasury \$6.80 for the education of each child between the ages of seven and seventeen. This is the best record our state has made.

**Texas' Educational Rank.**—In spite of the foregoing topics, we have no right to feel satisfied. Of the 991,000 (May, 1911, showed 991,409) children within school age at least 400,000 are not in school. Our average school term is only 131 days (1910). The average salary paid our white teachers is only \$409.82 per year (1910). While these conditions exist Texas will continue to rank

far below the average state in education. These truths are not pleasant, but the sooner we recognize the truth the sooner will we change conditions by levying more local taxes.

**Causeway at Galveston.**—Not content with the sea wall and with raising the surface of the island after the storm of 1900, the people of Galveston county and the railroads determined to build a great causeway of earth, steel and concrete. This causeway was opened May, 1912. It stretches two miles across Galveston Bay and connects with the mainland the "treasure island of the Gulf," thus removing all danger of Galveston being cut off by the washing away of the bridge over the Bay.

**Growth of State University.**—Nothing speaks more strongly for the intellectual development of Texas than the growth of the State University. With a student body of more than three thousand and a most devoted alumni organization, the University has established cordial relations with every branch of our great public school system and becomes each year more popular with the people.

**Agricultural and Mechanical College.**—With more than 1,100 students, with modern buildings to replace those burned in 1911-1912, and with an understanding of the needs of the people, the Agricultural and Mechanical College is doing the very work that Texas craves. Its popularity increases each year.

**Texas Veterans.**—Many writers claim that with the advance of civilization there comes a decline of patriotism. If this be true, it "were a grievous fault," but let us not permit that it be true of Texas. There met for years, on April 21st, a body of aged men whose very presence among us serves to make the young heart burn with patriotic zeal. These were the Texas Veterans. The railroads generously gave free transportation, and the

hostess city treated the Veterans as honored guests. Here the soldiers of San Jacinto lived o'er their youthful days and brought to mind the glories of the past. The roll-call was most impressive, for each year, alas! many cross to the Great Beyond, and when their names were called a moment of solemn silence followed, broken by some aged grandsire, who with trembling voice answered, "Dead." At the meeting in Austin, 1907, those present were so few in numbers and so feeble in health that they adjourned to meet no more.

**Conclusion.**—When one looks backward over Texas history, he sees much for which we should be grateful to the Great Father above. Cities have sprung up on all sides. Our population is nearly four millions; wealth has poured into our coffers; railroads unite every portion of the state; public education has made decided progress, but there still remains much in this line to be done. Let the boys and girls of this generation fit themselves to take up the duties that must soon fall upon their shoulders; let them learn to love their state wisely, not blindly; seeing her needs and filling them; let them resolve that education shall be as free as the sunlight that floods our Italian skies; let these things be done, and the Muse of History shall call for a golden pen and she shall write still higher on the roll of fame that name we love so well—Texas!

### SUMMARY

The annexation of Texas and disputes over her southern boundary caused war between Mexico and the United States resulting in victory for the United States and in establishing the Rio Grande as the border line. A dispute as to the boundary between Texas and New Mexico was settled by the compromise of 1850; underneath all these issues lay the great question of slavery,

The years from 1853 to 1859 were marked by progress and prosperity; railroads were encouraged, a permanent school fund was established, public buildings were erected and population increased. The negro uprising, the cart war and the expulsion of the Indians were the only disturbing features.

In 1859 General Houston was elected Governor. When the southern states talked of secession Houston opposed it, but in January, 1861, Texas left the Union and joined the Confederacy. Governor Houston would not take the oath of allegiance and was deposed; he died in 1863. The capture of Galveston from the Federals, the Battle of Sabine Pass, the heroism of Hood's Brigade and the Terry Rangers are important features of Texas' part in the Civil War. The war closed with the surrender of General Robert E. Lee, April 9, 1865, but May 13 at Palmito on the Rio Grande the last shot was fired.

From 1865 to 1870 Texas, under military rule, passed through the trying days of reconstruction, but with the election of Governor Coke (1874) and the refusal of President Grant to interfere in Texas' affairs a happier era dawned. In 1876 a new constitution was adopted. In 1881 the old capitol burned; in 1888 the magnificent new capitol was dedicated. In 1896 the Supreme Court decided that Greer County belonged to the United States. A terrific storm, September, 1900, left Galveston county and city with adjacent territory in ruins. Oil was discovered near Beaumont in 1901. This was an era of prosperity.

### HISTORICAL RECREATIONS

When and why were the counties released from State taxes? How were the expenses of the State met during these years?

What has Texas done to encourage the building of railroads? Name all the State asylums; locate each.

Who was twice president of the Republic, twice United States senator, and once governor?

Who was Cortina?

Tell the story of Cynthia Ann Parker.

Why was Houston deposed?

Why did Texas not suffer more during the Civil War?

Who was President of the Confederacy? Is he living? Who was President of the United States in 1862? How did he meet his death?



What governor after being comptroller of the Republic, cut cord-wood rather than be idle?

Name all the living governors of Texas.

Give in your own words the story of Galveston's recapture.

What garrison received a silver medal from President Davis?

What great Texan is buried at Huntsville? Is there a monument over his grave?

Where was the last battle of the Civil War fought?

What governor took refuge in Mexico? Why?

What is meant by the "Period of Military Rule"?

When did two men claim the governorship of Texas? How was the matter settled? What answer did President Grant make when appealed to for aid in 1874?

Name the governors who have been elected to the United States Senate.

Who at the age of fourteen had memorized Pollock's "Course of Time"?

What eminent Texan was Minister Plenipotentiary to Japan?

How many Normal Schools has Texas? Locate them.

Who said, "I will meet you in the halls of Congress"?

Who was called the "young Demosthenes"?

What is the Peabody Fund? How has it aided Texas?

Where is the A. & M. College? The State University? The Medical Branch of the State University?

Who were the Fence-cutters?

Who was known as the Boy Captain?

Describe the new Capitol Building. Have you visited it? If so, mention some of the pictures you saw there. What did you admire most? What improvements would you like to see?

What two native Texans have become governor?

What is the Alien Land Law?

What famous Texan represented his district in Congress for nineteen years?

What governor was called the "Patron of Art"?

Who is the present governor? Tell something of his life.

Name the United States senators from Texas.

Name the Chairman of the Railroad Commission.

Name the Congressman from your district.

Tell some patriotic deed that specially interested you in this

era. Some deed of self-sacrifice. Some deed of great personal bravery.

Name the judges of the Supreme Court.

Who never held public office until he became governor?

What are "The Austin Papers"? Who gave them to the University?

Who won honors in oratory at the University of Virginia?

Who owns the San Jacinto battle-field?

What is the nepotism law?

Who gave as a key to success: "Work hard and tell the truth"?

Have you a first-class high school in your community?

What law has increased the number of high schools?

Who had as his aim to become a successful lawyer and to be true to his friends?

What was "the great fine"?

Tell about Galveston's sea wall and causeway.

What does Texas need most to-day?

## BLACKBOARD ANALYSIS

I. *War between Mexico and the United States.*

J. Pinckney Henderson, Governor.  
1846-1847.

1. Causes.
2. Part Texas took.
3. Results.

II. *Boundary Question.*

George T. Wood, Governor.  
1847-1849.

Peter Hansboro Bell, Governor.  
1849-1853.

J. W. Henderson, Governor.  
1853.

1. Boundary between Texas and New Mexico.
2. Compromise of 1850.

III. *Development and Prosperity.*

E. M. Pease, Governor.  
1853-1857.

Hardin P. Runnels, Governor.  
1857-1859.

1. Public debts settled.
2. Railroad laws.
3. School funds.
4. Indians driven out.

IV. *Civil War.*

Sam Houston, Governor.  
1859-1861.

Edward Clarke, Governor.  
1861.

Frank Lubbock, Governor  
1861-1863.

Pendleton Murrah, Governor.  
1863-1865.

1. Cortina.
2. Condition of United States.
3. Houston's position.
4. Texas secedes.
5. Houston removed.
6. Preparations for war.
7. Galveston blockaded. (1861).
8. Sibley expedition.
9. Galveston captured. (1862).
10. Galveston retaken.
11. Battle of Sabine Pass. (1863).
12. Houston's death. (1863).
13. General Banks.
14. Texas' part in war.
15. Texas' condition.
16. Close of war. (1865).
17. Last Shot.
18. Governor Murrah in Mexico.
19. General Granger in command of Texas.

*V. Military Rule and Reconstruction.*

A. J. Hamilton, Governor.

1865-1866.

James W. Throckmorton, Governor.

1866-1867.

E. M. Pease, Governor.

1867-1869.

E. J. Davis, Governor.

1870-1874.

1. Hamilton's advice.
2. Reconstruction Convention. 1866.
3. President and Congress.
4. Throckmorton removed.
5. Military rule.
6. Hancock's course.
7. Constitutional convention. 1868.
8. Pease resigns.
9. Constitution adopted. 1869.
10. Texas re-admitted. (1870).
11. Disabilities removed.
12. Stormy election scenes.

## 1. Coke's Administration.

1874-1876.

## 2. Hubbard's Administration.

1876-1879.

## 3. Roberts's Administrations.

1879-1883.

## 4. Ireland's Administrations.

1883-1887.

## 5. Ross's Administrations.

1887-1891.

## 6. Hogg's Administrations.

1891-1895.

- a. Difficulties.
- b. How met.
- c. New constitution. 1876.
- d. Agricultural and Mechanical College. (1876).
- a. Penitentiary improved.
- b. Crime punished.
- c. Immigration to Texas.
- a. Governor's policy.
- b. Sam Houston Normal Institute. 1879.
- c. Prairie View Normal.
- d. Capitol burned. 1881.
- a. State University. 1882.
- b. Fence cutters.
- c. Greer County.
- a. Prohibition campaign. 1887.
- b. Dedication of new Capitol. 1888.
- c. Money from United States.
- d. New institutions.
- a. Galveston Harbor.
- b. Railroad commissioner.
- c. Alien land law.
- d. Confederate Home.
- e. Sugar bounty.
- f. Division in Democratic party.
- g. Coxey army.
- h. Financial troubles.

## VI. Texas of To-day.

- |                                               |                                                                                                                                                                                                                                                                                                |
|-----------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7. Culberson's Administrations.<br>1895-1899. | <ul style="list-style-type: none"> <li>a. Land leases.</li> <li>b. Anti-trust laws.</li> <li>c. Arbitration law.</li> <li>d. Special session of legislature to prevent prize-fight.</li> <li>e. Spanish-American war.</li> </ul>                                                               |
| 8. Sayers's Administrations.<br>1899-1903.    | <ul style="list-style-type: none"> <li>a. Brazos floods. (1899).</li> <li>b. Ruin of Austin dam. (1900).</li> <li>c. Galveston storm. (1900).</li> <li>d. Discovery of oil. (1901).</li> <li>e. Drought and boll-weevil.</li> </ul>                                                            |
| 9. Lanham's Administrations.<br>1903-1907.    | <ul style="list-style-type: none"> <li>a. New institutions.</li> <li>b. Alamo property bought. (1905).</li> <li>c. Railroad growth.</li> <li>d. Terrell election law.</li> <li>e. Irrigation districts.</li> <li>f. School age extended.</li> </ul>                                            |
| 10. Campbell's Administrations.<br>1907-1911. | <ul style="list-style-type: none"> <li>a. Labor Laws.</li> <li>b. Tax Laws.</li> <li>c. Department of Agriculture.</li> <li>d. Guaranty Law.</li> <li>e. Waters Pierce fine.</li> <li>f. Penitentiary reform.</li> <li>g. School laws.</li> <li>h. San Jacinto Battle Field bought.</li> </ul> |
| 11. Colquitt's Administration.<br>1911—       | <ul style="list-style-type: none"> <li>a. Retirement of Senator Bailey.</li> <li>b. Penitentiary reform.</li> <li>c. Prohibition defeated. (1911).</li> <li>d. Important school laws.</li> <li>e. Opening of Galveston Causeway.</li> </ul>                                                    |

# NOTES

## ERA I

1. **La Salle** was born at Rouen, France, November, 1643. It is said he took the first steps towards becoming a Jesuit priest, but his was to be no priest's life, for there soon came to the lad longings for a calling where he might command and others obey. His older brother, the priest Abbé Jean Cavelier, lived in Canada; this fact influenced Robert when 23 to sail to the New World. He obtained a grant of land and won the friendship of the French Governor. On returning to France he was made a noble and given more power in Canada. He turned his back on the certain wealth that awaited him in the fur trade to devote himself to exploring the Mississippi. He had built above Niagara Falls a boat called "The Griffin," which he sailed over the virgin waters of Lakes Erie, St. Clair, Huron and Michigan, to the amazement of the red men, who had never before seen a sail vessel. "The Griffin" was loaded with furs and sent back to Niagara; La Salle ordered the pilot as soon as the furs were disposed of to return with supplies to the head of Lake Michigan. La Salle himself pushed on, explored the Illinois river and founded Fort Crêve Coeur (krêv kèr'). Here he learned that "The Griffin" was lost. This calamity forced him, leaving his faithful friend Tonty in command, to return to Canada for supplies.

It is claimed that no other Frenchman ever made so difficult a journey in America. He conquered all obstacles and was ready to start back, when there came the tragic news that his men had deserted Tonty and destroyed all property of value at Fort Crêve Coeur. Undismayed, La Salle journeyed to the Illinois only to find Tonty gone and the fort in ruins; still he pressed on and at last came into the Mississippi, that "fatal river" of his dreams. Returning towards Montreal, he had the joy of meeting Tonty, whom he had feared to be dead: soon after came the third setting out for the great journey; the



mouth of the Mississippi was reached and La Salle thought his most difficult task was accomplished.

We can but admire and pity La Salle. He was brave, patient and undiscouraged. While he exercised a marvelous influence over the Indians, yet he sadly lacked ability to win the affection and loyalty of his own people. A few loved him, but the great majority thought him cold, haughty, visionary, and some called him mad. He was so harassed by enemies that we cannot wonder he lost faith in his race. He consulted nobody, confided in nobody, he relied upon himself alone. The man who does this is seldom able to carry out great undertakings. Let us never forget that in the midst of bitter persecutions, his honor stands forth untouched. (The older student will find Parkman's "La Salle and the Discovery of the Great West" most fascinating.)

2. **La Salle an Explorer.**—The word discoveries was probably used by La Salle, but we now know that while he explored much he really discovered little.

3. **Spain Careless.**—La Salle seemed to realize clearly the advantage of a French colony at this exact location. While Spain had explored the Gulf coast with some thoroughness, yet she had been most careless in founding colonies to hold her discoveries and explorations. At this time she had outside of Mexico only one real settlement in the South, San Augustine. The student will readily understand the wisdom of La Salle's proposed plan.

4. **La Salle's farewell letter** to his mother has been carefully kept by his family. The following is an extract:

"ROCHELLE, 18 JULY, 1684.

"*Madame my Most Honored Mother,*—

"At last, after having waited a long time for a favorable wind and having had a great many difficulties to overcome, we are setting sail. . . . We all have good hope of a happy success. We are not going by way of Canada, but by the Gulf of Mexico. I passionately wish, and so do we all, that the success of this voyage may contribute to your repose and comfort. Assuredly, I shall spare no effort that it may; and I beg you, on your part, to preserve yourself for the love of us.

"You need not be troubled by the news from Canada, which are nothing but the continuation of the artifices of my enemies. I hope to be as successful against them as I have been thus far, and to embrace you a year hence with all the pleasure that the most grateful of children can feel with so good a mother as you have always been. Pray let this hope, which shall not disappoint you, support you through whatever trials may happen, and be sure that you will always find me with a heart full of the feelings which are due to you. Madame, my Most Honored Mother, from your most humble and most obedient servant and son, "DE LA SALLE.

"My brothers, my nephews, and all the others, greet you, and take their leave of you."

5. **The vessels** were called "The Joly," "The Aimable," "The Belle," and "The Saint François."

6. **La Salle's Men.**—Bancroft says: "One hundred men, the scum of the French towns, were recruited as soldiers; thirty were volunteers, for the most part gentlemen by birth; there were also artisans, laborers, servants, many families of colonists, a number of girls seeking husbands, four Franciscans and three priests, one of whom was La Salle's brother." Joutel writes: "The difficulty was our great number of men, and the few of them who were fit for anything except eating. They had all been caught by force or surprise, so that our company was like Noah's ark, which contained animals of all sorts."

7. **The Saint François.**—This boat, "St. François," was laden with provisions, tools, and other necessities for the colony; and the loss was irreparable." Parkman.

8. **Joutel** was for sixteen years a French soldier. His account of La Salle's expedition is most valuable. After many hair-breadth escapes, he reached France once more in 1688.

9. **The letters of Beaujeu and La Salle** found in Margry Vol. II. show that the two men parted friends. Beaujeu expected to go to Mobile Bay for wood and water, and to wait there to hear further from La Salle, but head winds, murmurs of his crew, a fight with pirates and other mishaps caused him to change his plans and go to France.

10. **Tonty**, who had been for years an officer in the service of Italy, lost a hand in one of his numerous battles. He had an artificial hand of iron or some other metal on which he always wore a glove. When the Indians were rude or offensive, he once or twice used the "Iron Hand" with such effect as to leave broken heads and scattered teeth. The savages thought he did this by magic and had great respect for his power.

11. **Site of La Salle's Murder.**—The exact spot where La Salle was killed is not known. Some authorities place it on the Neches River: others claim that the murder took place near the Brazos. In La Salle's native city, Rouen, a stately monument has been raised in his honor. La Salle never married; his title passed on to his relatives, who for generations have held his name in highest esteem.

12. **The oldest town** in Texas is Ysleta (ēs-lā'tä) founded in 1682 twelve miles from El Paso. Dr. Bolton, in his research work in Mexico, found the original list of ninety-odd Spanish families that settled this village.

13. **Mexico.**—The student must understand that at this time, 1687, Mexico was a Spanish province with a regular system of government.

14. **Cabeza de Vaca** was a member of Narvaez's expedition sent out to conquer Florida. In 1528 the party was cast in a storm upon the western shore of the Gulf of Mexico, on an island situated probably on the Texas coast. Most of the men perished,\* but Cabeza and three others lived about seven years among the Indians, part of which time they were in slavery, and finally made their way to Spanish settlements in Mexico. Dr. Garrison says: "They were apparently the first Europeans to tread the soil of Texas." On his return to Europe, Cabeza wrote an account of Narvaez's expedition. Judge Raines in his bibliography writes: "Cabeça, besides being the first European explorer of Texas, the first overland traveler across the continent, was also the first historian of Texas." The mature student should read "Journey of Cabeza de Vaca," translated by Bandelier.

15. **Father Massanet**, a devoted priest, went out with De Leon's expedition to take charge of the mission work. Read

his letters in the "Texas Quarterly," II., Page 281, translated by Prof. Lilia M. Casis.

16. **Texas.**— The word Texas is used here only for the convenience of the pupil, since at this date there was no territory bearing that name. Historians differ as to the origin of the name. Recent investigations of original documents tend to prove that the Tejas Indians, not a single tribe, but a group of nearly fifty tribes, had a considerable degree of civilization. De Leon's company, in 1690, found few Indians between the Rio Grande and the land of the Tejas. They had observed no natural features striking enough to give a name to the country. "After the expedition of 1689 there was but one people in the country it penetrated of whom the Spaniards in Mexico thought seriously, and that was the Tejas Indians; but one district there, besides Espíritu Santo, of which they talked, and that was the country of the same Indians, which they called Texas. It was but natural that this name should be extended to the whole region. Nuevas Filipinas, which was for some time the official designation, was not sufficiently upon the popular tongue and was displaced entirely by Texas." (Abridged from Dr. George P. Garrison's "Texas," page 32).

17. **First Mission.**— The exact location of this mission, the first in Texas, is not known. Dr. Herbert Bolton thinks it was at the Nabadache village near San Pedro Creek in Houston County. Another mission was founded near by at the same time.

18. **Louisiana** at that time was a vague term meaning the vast area drained by the Mississippi.

19. **Charles II.**— The older student may know that Charles II. of Spain left by will to a grandson of Louis XIV. his entire Spanish kingdom. In the war of the Spanish Succession, the American aspect of which was called Queen Anne's War, Spain and France were together and their American colonies seemed friendly.

20. The **Asinai** or **Cenis** belonged to the Texas group of Indians.

21. **Saint-Denis** made good use of his time by making love to the pretty grand-daughter of Captain Diego Ramon, who afterwards became his wife.

**22. Spanish Missions near Nacogdoches.**—These were: Nuestra Señora de la Guadalupe (near modern Nacogdoches), La Purísima Concepción, San Joseph, San Miguel de Linares, Nuestra Señora de los Dolores. Dr. Garrison states the four last named were situated in an irregular group around Nacogdoches "at distances varying from twenty-five to fifty miles."

**23. The After Career of Saint-Denis** is a checkered one. Returning to Louisiana, he got on consignment a new stock of goods, went back to Mexico claiming the goods as his own, was stripped of the merchandise, and imprisoned, but was freed by a special order. Commanded to go with his wife to Guatemala, he escaped to Louisiana and was given command at Natchitoches (nack-i-tōsh'). Dr. Garrison says: "It is is probable that if the government of either France or Spain had really understood what he was about, he would have been rewarded with a halter."

**24. References.**—Teachers and mature students will enjoy for reference reading: Dr. Garrison's "Texas"; Bonilla's Brief Compendium translated by Miss Elizabeth West, Texas Quarterly, July 1904; Penicaut's story, translated from Margry, Historical Collection of Louisiana and Florida (New Series, 1859, pp. 114-120).

**25. Bienville**, the noble Governor of Louisiana, was bitterly opposed to allowing the Spanish to do this, but Saint-Denis and others by secret plots carried the day.

**26. The Native Names** of some of these tribes were Nabadache, Nacogdoche, Neche, Hainai, Nasoni, Nadaco, Nacono, Nacachau, Nacao, Nechaui.

**27. Chief Tribes.**—Among these were the Taovayas and Wichita on the upper Red and Wichita rivers, and Towakana, Waco, and Yscanis, on the upper Brazos and Trinity rivers.

**28. East of the Brazos and the Trinity** were the Orcoquiza and Attakapa. Between the Brazos and the Nueces were Karankawan tribes called Coco, Karankawa, Guapite, Cujane, and Copane. The Karankawa were very warlike, and like the Attakapa and Tonkawa, were often said to be cannibals. Further down the coast toward the Rio Grande were numerous Pakawan or Coahuiltecan tribes, such as the Manos de Perro ("Dog Hands") and Borrados.

29. **Migration.**—During most of the 18th century the Comanche, the Tonkawan tribes, all of the Timber Tribes and the Pakawa of the Southwest, were hostile to the Apache. On the other hand, many of the northern tribes of Texas were at war with Indians farther to the north. The Apache and the Tonkawan tribes were pushed southward and new tribes entered the state. Kiowa, Coshattie, Cherokee, Shawnee, Alabama, and Choctaw are names of tribes not known in Texas at all till long after the country had been the home of the white man. The Pueblo Indians at Ysleta, near El Paso, are not natives of Texas, but refugees from New Mexico.

30. **Mission, Presidio, Villa.**—The older student will see how easily confusion as to location might arise from the fact that mission, presidio, and villa have different names, though very close together. For example there was the presidio of San Antonio de Bexar, the mission of San Antonio de Valero (together with a group of four other missions) near by, and the villa of San Fernando.

31. **Soldiers in the Missions.**—Sometimes it became necessary to have the soldiers in the missions, but the priests did not like this plan, as the soldiers by their cruelty and wickedness made it much more difficult to convert the Indians.

32. **Stone Fort.**—An exception to this is the Stone Fort at Nacogdoches, built about 1779 and torn down in 1902.

33. For a fuller account of mission San Antonio de Valero see Bolton and Barker's "With the Makers of Texas," page 61, from which this account is condensed.

34. The following interesting extract from a report made by the missionaries in 1762 is taken from Dr. Garrison's "Texas," page 57.

"Every day all the Indians recite in concert the text of the Christian doctrine of Ripalda, in the morning before work and in the evening after it. Three or four times a week the ministers instruct their Indians, with reference to the same text of the catechism, in the mysteries of our holy faith and the obligations of Christians.

"To the dying and the sick is promptly ministered holy baptism, if they are infidels, and to the Christians are administered the holy sacraments.



“For those who come from the woods married, the natural contract is ratified (leaving only one wife to those who bring several) before their baptism, and the Christians are married at the proper time by the church officials.

“The missionaries have paid special attention to the temporal assistance of the Indians, both because this is their personal business, and because it is one of the most important means of subsistence for those who live at the missions, and for the attraction of those who inhabit the woods, who observe and consider the advantages the others enjoy.

“For this purpose are used the cattle which the missionaries manage to acquire in order to kill, at each mission every Sunday and on some special feast days, four or five head, according to the number of people—dividing them into pieces in order that each individual may have his corresponding ration; and mutton is given to those who are sick.

“The corn crop is consumed by giving the Indians what they need for all purposes; and they are also furnished beans, pumpkins, watermelons, melons, pepper, salt, and sugar, which is made from cane they take care to plant at each mission annually, because this is the best thing to regale the Indians and the most pleasing to their appetites. In the missions cotton and wool are used by making them into *mantas*, *terlingas*, *rebozos*, coarse cloths, and blankets for their protection and covering.

“The Indians are assisted, when they are sick, with medicines which this country furnishes, and some which are brought in for the purpose. They are visited by the fathers and by other persons who have been charged with the care of them; and in serious cases they are fed from the kitchen of the fathers, and in all they are relieved from work. For this reason not a few of them get to making pretenses, and the missionaries in order to keep them from running away, behave as if they were deceived by them.

“The labor of the Indians is to plant the fields, look after the cattle, to water the crops, to clear away weeds, and to gather their grain, to erect their dwellings, and other buildings of the missions to which the community attends; but with such slowness and carelessness that it is always necessary for some Spaniard to be directing them, and four of them are

not sufficient for what could be done by one. They work, with a lack of energy corresponding to their inborn laziness, some at weaving and in the forges, and others as carpenters and bricklayers, in which trades instruction has been furnished them by the missionaries with no small endeavor for their comfort. They have been provided also with the proper tools for all these occupations.

"The employment of the women and children is to spin with rough spindles, and to comb cotton."

35. **Moving a Mission.**—By this term is meant the transfer of the priests, movable property and the Indians, who had become attached to the missions.

36. **Name Alamo.**—Dr. Bugbee says the name Alamo originated from the fact that the mission was occupied by a company of Mexican troops called the Alamo of Parras. The new name seemed to please the popular ear better than "San Antonio de Valero," hence the whole mission was called Alamo.

37. See William Corner's "San Antonio de Bexar."

38. **The mission of La Purísima Concepción de Acuña** was the transferred mission of La Purísima Concepción de los Asinais of East Texas.

## ERA II

1. **Filibusters.**—Webster's dictionary defines "filibuster" as a lawless military adventurer, but in Texas history the word means adventurers of all kinds, who entered Texas with the purpose of taking possession of the country.

2. **El grito de Dolores**, raised at two o'clock on the morning of Sept. 16, 1810, is considered by the Mexicans as the real birth of Mexican independence. A *grito* is the first step in an insurrection. See Note 5, p. 311.

3. **Aaron Burr.**—The teacher is earnestly requested to tell the class the story of the life of Aaron Burr, making clear as much as is known of the real objects of his expedition. See McCaleb's "The Aaron Burr Conspiracy."

4. **Philip Nolan**, an Irishman by birth, but at this time an American citizen, was a gentleman and a scholar, being specially well informed in geography and astronomy. As early

as 1785 he was engaged in trade (though the Spanish laws forbade such trade) between San Antonio and Natchez, Miss., but as this business did not bring him wealth rapidly enough, he decided to seek other fields. The Spanish officers declared that from papers in their possession it was clear that Nolan expected to raise a revolution and make himself ruler of Texas.

5. **Nolan's Map.**—This map, which is said to be the first made of Texas by an Anglo-Saxon, was given by Nolan to Baron de Carondelet, Governor of Louisiana.

6. **Spanish Orders.**—For the purpose of frightening away the fortune-seekers from the North, the Spanish officials ordered that every American whose conduct was in the least suspicious should be arrested, and that as Nolan was a dangerous character, he should be "put out of the way" as quickly as possible.

7. **Lieut. Musquiz** in his journal says: "Nolan's negroes asked permission to bury their master's body, which I granted after causing his ears to be cut off in order to send them to the Governor of Texas."

8. **Peter Ellis Bean.**—This name is generally given as Ellis P. Bean, but in the State Library is a letter from Bean's son written to the historian Yoakum, asking that the name be given correctly, Peter Ellis Bean.

9. **Other Prisoners.**—What became of the other prisoners is not positively known; for Bean's many adventures, see page 55.

10. **Napoleon and Spain.**—When, in exchange for Tuscany, Spain ceded Louisiana to France it was privately agreed that France should not sell the territory to the United States. After the deed was done Spain stood too much in fear of Napoleon to maintain a vigorous protest.

11. **The Arroyo Hondo**, a small tributary of Red River, is about seven miles west of Natchitoches.

12. **Neutral Ground.**—This contract, about which a certain amount of mystery has always hung, was entered into suddenly by Generals Wilkinson and Herrera. It was an agreement between men and not between nations. It is supposed the Spaniards were so alarmed at Aaron Burr's schemes for in-

vading Mexico that they deemed it best to make concessions in order to keep at peace with the United States.

13. **Magee** himself strongly urged the placing of Gutierrez in command. This was done to draw into the expedition the Mexican Republicans (those who favored Mexico freeing herself from Spain). Among these men, Gutierrez, who had already suffered much for the cause of Mexican liberty, possessed much influence, while Magee was comparatively unknown.

14. **Skirmish of White Cow.**—One of the most spirited engagements during the siege bears the prosaic name of "The Battle of the White Cow." Salcedo's men were driving up a white cow, when she suddenly ran across the river toward the fort; a party of Americans rushed out to drive her within the walls; the opposing forces met and a fierce skirmish followed in which the Spaniards were worsted.

15. **Story about Magee.**—Captain McKim, a Texas veteran, who was a member of Magee's expedition, left in manuscript a strange story of Magee's last days. Yoakum, the historian, accepts the statements of McKim. The story runs that during a few days of truce General Salcedo invited Magee to dine with him. At this interview, Magee agreed to surrender the fort to Salcedo, with the understanding that all the Republican army should be sent home in perfect safety. On his return Magee had all the troops paraded, told them what he had done, and asked all who approved his course to shoulder arms. As the soldiers listened, expressions of amazement crept into their faces—that he, their brave, daring young leader, should advise such a step! Few obeyed the order to "shoulder arms." Many, to show their displeasure, struck their guns heavily upon the ground. Magee stood a few moments in silence, then turned, and with downcast head entered his tent. Soon a messenger bearing a flag of truce came, bringing a note from Salcedo asking why the fort was not surrendered, as had been promised. No reply was sent. Salcedo then made a furious attack upon the fort. Though the Americans were confused and distressed by Magee's course yet they rallied and drove back the Spaniards in confusion. During this time Magee remained in his tent. That night at twelve he died—some say by his own hand. Baker (see Baker's Texas History, page 227) says he learned directly from Col. Hall,

a personal acquaintance of Magee, that Capt. McKim was mistaken, and that Magee died of consumption. The distinguished veteran and statesman, Hon. Guy M. Bryan, stated in conversation his acceptance of Col. Hall's version.

16. **The exact location** and the reason for the name of this battle are not known.

17. **Indian Reward.**—It is said that the Indians asked as their chief reward two dollars' worth of vermilion for each brave.

18. **Gutierrez.**—The excuse given by Gutierrez for the murder was that Captain Delgado had on bended knees begged that he might thus avenge the murder of his father, who had met death through Salcedo.

19. **Don José Alvarez Toledo**, descended from a distinguished Spanish family, was by birth a West Indian. Coming to Mexico, he showed his Republican sympathies too plainly, and was banished. During Magee's expedition he busied himself in Louisiana collecting and forwarding troops to assist in freeing Texas. In July, 1813, he went to San Antonio, where he received a hearty welcome from all except the Mexicans under Menchaca.

20. **At the Medina.**—In justice to Toledo, it must be stated that he was opposed to crossing the Medina, wishing to await on the left bank the attack of the enemy. The Americans and Mexicans, made reckless by their recent victories, demanded that they be led to battle, and, against his better judgment, Toledo yielded.

21. **Revenge.**—Seventy or eighty prisoners were captured near Spanish Bluff. These were taken, securely tied, and placed in groups of ten upon huge pieces of timber beneath which a grave had been dug. The captives were then shot, their bodies falling into the yawning pit. Delgado was one of the victims.

22. **Toledo**, though badly wounded, escaped to the United States, where he continued to assist the cause of Texas independence. But at last, disappointed in all his plans, he submitted to the Spanish King and was made ambassador to the court of Naples. He always cherished the greatest admiration for American bravery, declaring on more than one occasion,

“With two thousand such heroes as the Americans who fought the battle of the Medina I could conquer all Mexico.”

23. **Arredondo and Elizondo.**—Yoakum says: “Arredondo imprisoned 500 of the wives, daughters, and other female relatives of the patriots in San Antonio; they were compelled daily to convert 24 bushels of Indian corn into Mexican cakes, called tortillas, for Arredondo’s army. Elizondo, who had gone as far as the Trinity in pursuit of fugitives, returned driving before him on foot the widows and orphans of those he had slain there. The property of the patriots was confiscated.” The cruelty of Elizondo brought its own punishment. One of his lieutenants, becoming crazed from the horror of the bloody deeds daily committed, became convinced that he too was to be killed by the General; in a moment of wild insanity he mortally wounded Elizondo, who was buried on the banks of the beautiful San Marcos.

24. **Black Hole.**—Nearly as horrible as the tragedy of the Black Hole of Calcutta is this story of Arredondo’s cruelty: On a stifling August night 300 citizens of San Antonio were imprisoned within one apartment; so foul did the atmosphere become that 18 of the men died from suffocation before morning. The survivors were shot without the semblance of a trial.

25. **Napoleon** had fallen at Waterloo, and the ancient race of kings had been restored to the Spanish throne, but thoughtful men saw that these kings were no longer considered even by the mass of the common people as the “Chosen of God.” Never again could monarchs expect ignorant idolatry from their subjects. The student of history saw clearly that for Mexico to become a republic was only a question of time.

26. **Aury and Mina**, brave warriors devoted to freedom, and Perry, who so narrowly escaped death at the Medina, were among Herrera’s most prominent officers.

27. **Naming Galveston.**—The island was so called from Count de Galvez, viceroy of Mexico and governor of Texas and Louisiana.

28. **Lafitte.**—Yoakum says Lafitte fell in love with a beautiful woman, became jealous of all about her, challenged and killed his rival, and hence was forced to take refuge in the



South. Bancroft relates that a naval officer who visited Lafitte heard from the pirate's own lips this story of his life: Eighteen years before he had been a merchant at Santo Domingo, and having become rich, he wound up his affairs, sold his property, bought a ship, and freighted her with a valuable cargo, including a large amount of specie. Having set sail for Europe with his wife on board, he was captured, when a week at sea, by a Spanish man-of-war, and robbed of everything he possessed. The Spanish captain had the inhumanity to set him and his crew ashore on a barren sandkey, with provisions for a few days. They were taken off by an American schooner and landed at New Orleans, where his wife died in a few days from fever, contracted from hardship and exposure. Lafitte, in desperation, joined some daring fellows, and having purchased a schooner, declared eternal vengeance against Spain." "For fifteen years," he said, "I have carried on war against Spain. So long as I live I am at war with Spain, but no other nation. I am at peace with all the world except Spain. Although they call me a pirate, I am not guilty of attacking any vessel of the English or French."

**29. Letter from Lafitte to Mr. Blanque.—**

BARATARIA, SEPTEMBER 14, 1814.

SIR:—Though proscribed by my adopted country, I will never let slip any opportunity of serving her, or of proving that she has never ceased to be dear to me. Of this you will here see a convincing proof. Yesterday there appeared here under a flag of truce, a boat coming from an English brig at anchor about two leagues from the pass. A British officer of high rank delivered to me the following papers: two directed to me, a proclamation, and the admiral's instruction to that officer, all herewith inclosed. You will see from their contents the advantage I might have derived from that kind of association. I may have evaded the payment of duties to the custom-house, but I have never ceased to be a good citizen; and all the offenses I have committed, I was forced to by certain vices in our laws. In short, Sir, I make you the depository of the secret on which perhaps depends the tranquillity of our country. Please to make such use of it as

your judgment may direct. I might expatiate on this proof, but I let the fact speak for itself. Be so kind as to assist me with your judicious counsel in so weighty an affair.

I have the honor to salute you.

J. LAFITTE.

30. **S. ils.**—Mrs. Davis in “Under Six Flags” writes: “On the incoming Spanish barques there were bales of silk and satins, woven for the dark-eyed dames of Mexico, and soft carpets and priceless hangings for their houses; there were rare wines for the tables of the viceroys, and gold-embroidered altar-cloths for the churches. On the outgoing Mexican vessels there were bars of silver and ingots of gold, tropical spices and dyes, uncut jewels and beautiful skins of wild animals. All these treasures were unrolled and spread out on the open square of the fort, and each man was allotted his share. Lafitte was generous with the goods brought in by his freebooters. Once from a rich “haul” he took for his share only a slim gold chain and seal, which had been removed from the neck of a portly Mexican bishop on his way to visit Rome. This chain and seal were given by the pirate to Rezin Bowie, a brother of James Bowie. It remains in the Bowie family to this day.”

31. **Lafitte** died some years later in Yucatan. It is said that he buried immense treasures on Galveston Island. Many have sought, but none have found them.

32. **Dr. Long** had already distinguished himself for skill and courage at the battle of New Orleans where he became a marked favorite with General Jackson. Upon marrying Miss Jane Wilkinson, a niece of General Wilkinson, Long settled at Natchez.

33. **French Colony.**—This was the second expedition that had appealed to Lafitte for aid. Generals Lallemand (läll-emänd') and Rigault (rē-gō), two distinguished Frenchmen, brought 120 colonists and, with no authority from the Spanish government settled on the Trinity River. Lafitte helped them to locate and later when the colony, fearing an attack from the Spaniards, fled to Galveston, his kindness and generosity saved them from destruction.

34. **Long's Death.**—Some of Long's friends believed that Trespacios, jealous of Long's popularity, hired a soldier to murder him. Several historians discredit this story, and say that Long, on one occasion, demanded entrance into the barracks; the guard refused to admit him; Long struck the sentinel, who at once shot him. See end of this era for story of Mrs. Long's courage and devotion.

### ERA III

1. **Moses Austin** was born in Connecticut. In partnership with his brother Stephen he carried on business in Philadelphia and Richmond, but at a later date the brothers bought mines in Virginia (Wythe Co.) and established large factories for the making of shot and sheet lead. They were unfortunate and lost much. In 1798 Austin obtained a grant of a league of land in what is now Missouri (then belonging, as a part of Louisiana, to Spain), and with his family went to make another fortune in the West. For twenty-one years he lived there, loved and respected by all. In 1818 the Bank of St. Louis failed; Austin, being a stockholder, gave up everything he possessed to the creditors of the bank. Thus, when past fifty, he found himself a poor man, compelled to begin life anew. Then it was that he resolved to go to Texas. As the United States no longer claimed Texas, Spain felt safe in allowing Americans more freedom to settle within her territory. Spanish land grants were offered on safe terms. Austin, knowing all this, thought that the hour had come for Americans to colonize.

2. **Baron de Bastrop**, a Prussian by birth, served in his youth under Frederick the Great. Entering the employ of the King of Spain, he was sent on an important mission to Mexico and became deeply interested in the country. He obtained as a grant a tract of land (between the Mississippi and Red Rivers) thirty miles square, of which he ceded 400,000 acres to Aaron Burr. Years later, when Louisiana again became the property of France, the Baron moved to San Antonio, where at the time of Austin's visit he held the position of Alcalde.

3. The "**Father of Texas**"—for so Stephen F. Austin was affectionately called among the colonists—was born in Virginia, November 3, 1793. He was educated in Connecticut, and at

Transylvania University, Ky. When only twenty years old, he was elected a member of the Missouri Territorial Legislature. In 1819 he went to Arkansas, where he held the position of federal circuit judge. His after life is so closely connected with Texas history that it needs no separate recital.

4. **Mexican Independence.**—"At daylight of Sunday, 12th of August, while the company were in camp, on a creek called the Paradon, about eight miles from San Antonio, three men, who had been sent from the Guadalupe River to San Antonio, returned with others and brought the glorious news of the independence of Mexico. The Spaniards hailed this information with shouts and acclamations of "Viva independencia!" and every other demonstration of joy. (Scarff's Comprehensive History of Texas. Texas Historical Quarterly, Vol. VII., p. 286).

5. **Land Given Colonists.**—When the colonists arrived they were given more land than was promised. The head of the family received 4,605 acres; a single man, one fourth as much.

6. **Austin Loses Much.**—In spite of promises thus made, the colonists complained so bitterly of this agreement, that the Mexican authorities at San Antonio excused them from its payment. Each settler was then made to pay a fixed sum for his title, to the government; part of this was finally given to Austin, but he really lost much that should have been his.

7. **Oath.**—The following is an extract from the oath colonists were compelled to take: "In the town of Nacogdoches before me, Don Jose Maria Guidiana, came Don Samuel Davenport and Don William Barr, residing in this place, and took a solemn oath of fidelity to our sovereign, and to reside permanently in his royal dominions; and more fully to manifest it, put their right hands upon the Cross of our Lord Jesus Christ, to be faithful vassals of his most catholic majesty, to act in obedience to all laws of Spain and the Indies, henceforth adjuring all other allegiance to any other prince or potentate whatever, and to hold no correspondence with any other foreign power without permission from a lawful magistrate and to inform against such as may do so, or use seditious language unbecoming a good subject of Spain.

"Signed: Jose Maria Guadiana,  
William Barr,  
Samuel Davenport."

8. **Authorities.**—Prof. Lester G. Bugbee, *Texas Historical Quarterly*, Vol. VIII., p. 141. See also "Adventures of the "Lively" Immigrants. *Texas Historical Quarterly*, Vol. III.

9. **Hardships.**—The following from Mrs. Holly will give some idea of the hardships borne by the early Texas pioneers: "They were compelled to obtain their corn overland, and with much trouble, from Sabine or Bexar. For months they were totally destitute of bread. Sugar and coffee were luxuries enjoyed only in remembrance or anticipation. Their only dependence for meat was upon wild game. To range the country for buffaloes was dangerous on account of the Indians. The mustangs, or wild horses, fortunately, were abundant and fat, and it is estimated that over one hundred of them were eaten during the first two years of the colony."

10. **Different Forms of Government.**—The thoughtful student will better understand Austin's troubles when he learns that from 1821 to 1824 Mexico had four different kinds of government. In August, 1821, she became independent of Spain, but was still a monarchy: the throne was to be offered first to King Fernando VII., then to his brother Charles, next to his brother Francisco: if all these refused, Carlos Luis, a Spanish prince was to be invited to rule over the Mexicans. May 19, 1822, Iturbide was made emperor. In a few months a provisional government was established; in 1824 this was changed to a republic somewhat resembling ours.

11. **Austin's Journey.**—Bancroft says: "He had to travel 1,200 miles by land on roads infested by banditti and deserters, and he was ill prepared for such a journey. Nevertheless he did not flinch from the undertaking, but, disguised in ragged clothes and a blanket, passed himself off as a poor traveler going to Mexico to petition for compensation for services in the revolution."

12. **Austin's Duties.**—While Austin had secured from the Mexican government vast general rights to control the colony, he still thought it best to have those rights specially defined. On his return from Mexico he visited Garcia and asked that his duties be more clearly marked out. This was done. Austin was authorized to command the militia with rank of lieutenant-colonel; to make war on any Indian tribe that troubled his

colony; to bring in through Galveston Harbor all supplies his colony needed; and to administer justice. He was to do all this with no code of written laws to guide him until Mexico should furnish him with such a code. In all things, however, he was to be subject to the Governor of Texas and the Commandant-General.

13. **Old Three Hundred.**—These were called the “Old Three Hundred”; many of the best families in Texas to-day are descendants of these colonists.

14. **Austin’s Colony.**—The limits of Austin’s colony were for some years not defined, but in 1827 the following boundaries were fixed; “Commencing on the west bank of the river San Jacinto, at the termination of the ten-league reserve from the Gulf of Mexico, and thence following the right bank of said river to its head; thence due north to the road leading from Bexar to Nacogdoches; thence following said road westwardly to a point whence a line due south will strike the Lavaca to within ten leagues of the Gulf of Mexico, and thence eastwardly along the said ten-league line parallel with the coast, to the place of beginning.” Bancroft, p. 69.

15. **Laws.**—This law was made Aug. 18, 1824; it contained only the general regulations and left details to be worked out by laws to be passed by the different state legislatures. March 24, 1825, the legislature of Coahuila and Texas passed such a law.

16. **De Witt’s colony** was bounded on the north by the San Antonio and Nacogdoches road; on the east by Austin’s colony and the Lavaca River; on the south by De Leon’s colony, and on the west by the Guadalupe and San Antonio Rivers.

17. **Deaf Smith.**—One of the settlers who came with Kerr was Erastus (“Deaf”) Smith, of whom the pupil will read later as a hero in the Texas struggle for independence.

18. **This census** is to be seen in the Nacogdoches archives, See also “De Witt’s Colony” by Miss Ethel Rather, Texas Historical Quarterly, Oct., 1904.

19. **Victoria.**—So called from Guadalupe Victoria, the first President of the Mexican Republic.

20. **Hayden and Benjamin Edwards**, Kentuckians by birth, came from a family distinguished throughout the Southern



States for worth, energy, and intellectual power. After the failure of their colony in Texas, Benjamin returned to Mississippi, where he ran for governor, but died (about 1845) during the campaign. Bancroft says Hayden Edwards returned to Texas after the Texas Revolution and represented his district in Congress.

**21. Austin's Letter.**—Austin wrote: "The subject has caused me great unhappiness, but I had determined not to interfere with it in any way. It is a dangerous one to touch, and particularly to write about. You wish me to advise you. I scarcely know what course will be the best. The uncertainty as to the precise nature of the charges against you renders it difficult, nay, impossible, to make a regular defense. I think, however, I would write directly to the governor of the State. Give him a full statement of facts, and a very minute history of the acts of your principal enemies and their opponents, and their manner of doing business in every particular both in regard to your brother as well as all others."

**22. Hunter's** life was a strange story of adventure. While he was yet a babe his parents were killed by the savages, and he was adopted by an Indian brave. His wonderful skill in hunting gave him the name Hunter. John Dunn of Missouri having shown him great kindness, he called himself John Dunn. Meeting some fur traders, he was led to give up his Indian life and engage in business; all his spare time was given to study. In vigorous English he describes the new life that opened before him when he began to be able to read with ease, and the new feelings that came when he visited the large cities of the East. In 1823-24 he traveled in Europe, and spent some time in London, where fashionable society made a great pet of him; here he wrote and talked much of the Indians, saying he felt it his duty to devote his life to their improvement. After his return from London he went to live among the Cherokees, over whom he gained great power and influence. The Indians having failed to keep their solemn promise to Edwards, and Fields having already been killed, Hunter had started with two or three companions to join the Fredonians at Nacogdoches when he was murdered.

**23. Edwards** was deeply touched by this kindness to his colonists, as the following extract from a letter written by him to Ahumada will show: "Your kind, your friendly, and gen-

erous deportment towards my friends and fellow-soldiers while prisoners of yours, entitled you and the officers under your command to the expression of my thanks and has insured to you and them a distinction in our hearts that will ever separate you from the rest of your countrymen who have oppressed us. As a foe to your country, I view you still as a national enemy; but as a man and a philanthropist, you have powerful claims upon my heart."

24. **Burnet, Vehlein and De Zavala** afterwards sold their lands to New York speculators.

25. **Empresarios.**—In addition to those already mentioned in the text the empresarios were Robert Leftwich, James Powers, McMullen and McGloin, Joseph Vehlein, David G. Burnet, Sterling C. Robertson, Lorenzo de Zavala, Power and Hewitson, Benjamin R. Milam, John Cameron, Frost Thorn, General Vicente Filisola, Arthur G. Wavell, Stephen J. Wilson, John L. Woodbury, Exeter and Wilson, Juan Dominguez, Padilla and Chambers, Juan Vicente Campos, Grant and Beales. Only a few accomplished any permanent results.

## ERA IV

1. **Alamán** was the secretary of foreign and internal relations. The teacher and mature student will be interested to read Alamán's report, translated, in Executive Documents, 25th Congress, 2nd Series, No. 12. He makes out a strong case against the Anglo-Saxon colonists.

2. **Garrisons.**—Three hundred and fifty soldiers were stationed at Nacogdoches under Col. Piedras; 150 at Anahuac (on Galveston Bay), under Capt. Bradburn; more than a hundred at Velasco (east side of Brazos and Gulf shore), under Col. Ugartechea; and a smaller force at Fort Terán (on the Neches), under Bean. The garrisons at both Goliad and San Antonio were increased.

3. **Dr. Branch T. Archer**, a native of Virginia, came to Texas in 1831. From the first he espoused the cause of the people against Mexico. In 1835 Archer distinguished himself by the skill shown as presiding officer over the Consultation. He served in Congress during the Republic, being Speaker of the

House for a time; under Lamar he was Secretary of War. In 1845 Archer, already broken in health, was crushed by the death of his loved daughter; in the midst of his grief messages came asking him to preside at a meeting called at Brazoria to consider the question of Texas being annexed to the United States. Archer said it was impossible for him to go, that the world contained nothing more of interest for him, but the messengers still pleaded with him, and finally one said: "We do not forget, sir, that you helped to rock the cradle of our revolution, and we now ask your aid in a moment as vital as any in the past." The old gentleman's eye kindled, and rising with dignity, he said, "Tell the people I will comply with their wishes. I will bury my grief." Loved and honored by his countrymen, he died September, 1856.

4. **John Austin** was born in Connecticut and began his life of adventure by going to sea. He was a member of Long's Expedition and was sent as a prisoner into Mexico, but managed to gain a release. Having met Stephen F. Austin (to whom he was not related) in Mexico, he returned to Texas and settled in Austin's colony, where his brave spirit and commanding character soon won for him a prominent place. In 1833 he died from cholera, and by his death the Texas Revolution lost a staunch supporter.

5. **Plan of Revolution.**—In January, 1832, Santa Anna, of whom we shall soon hear much, had pronounced against Bustamante. It will interest the student to know that the plan of revolution in Mexico was this: Whenever a set of people in Mexico become dissatisfied from any common cause, or from mere want of excitement, they begin by uttering complaints and imprecations against the existing form of government, or its members, mingled with praises of some other systems or persons: this, the first stage of a revolution, is termed a *grito*. If the *grito* continues unchecked for some days, a public meeting is held, in which the grievances and modes of redress are discussed, and arrangements are made for expressing them more clearly: this second stage is called a *pronunciamento*. Then comes the *plan*, always bearing the name of the place at which it was concluded. Every large city in Mexico has its plan; in more than one instance the garrison of a little post, headed by a sergeant, has issued its propositions for a change of government,

accompanied by the resolutions of the framers to die in its support.—(For a more detailed account of a Mexican Revolution, see Yoakum History of Texas, from which this account is condensed.)

6. **Antonio Lopez de Santa Anna** was born in 1792 at Jalapa. While yet in the flower of youth he espoused the cause of the Republicans and showed marked ability as a soldier. He aided Iturbide in driving out the Royalists, but later he quarreled with and pronounced against his leader. His course from this time to the close of the Texas Revolution is traced in the text above. On his return to Mexico after his defeat and imprisonment in Texas, he retired to his country home. In 1837 he reëntered the army and lost a leg in the battle of Vera Cruz. He was in time recalled to public life and made dictator, but was again overthrown; he fought bravely in the Mexican War, and at its close went into exile. After a few years he was made president, abdicated on account of a revolution, reappeared to favor Maximilian, was banished, and was allowed to return to Mexico some years later, where he died in 1876.

7. **Wharton.**—William H. Wharton came from Tennessee to Texas in 1826. After taking a prominent part in the Convention at San Felipe he was appointed Minister to the United States (1836–1837). On his return home he was captured by the Mexicans and imprisoned at Matamoras. In 1838 he became Senator from Brazoria County. His death (1839) was caused by the accidental firing of his own pistol.

8. **Texan Idea of Necessities.**—The articles named as necessities were: “Provisions, iron and steel, machinery, farming utensils, tools of the various mechanical arts, hardware and hollow ware, nails, wagons and carts, cotton bagging and bale-rope, coarse cotton goods and clothing, shoes and hats, household and kitchen furniture, tobacco in small quantities for chewing, powder, lead and shot, medicines, books and stationery.”

9. **Austin’s Letter.**—The following is an extract from a letter written by Austin to Musquiz, a Mexican official:

“SAN FELIPE, November 15, 1832.

“ESTEEMED FRIEND:—I agree with the sentiments expressed in your appreciated letter of the 8th inst., just received: ‘He is to be pitied who has the misfortune to be at the head of public

affairs in revolutionary times;' but the only safe rule to follow is, to do one's duty regardless of the judgment of others. By this rule I have ever aimed to shape my actions, and my conscience is at rest. On several occasions I have found myself begirt with weighty embarrassments, but to the law of duty just mentioned, as to a polar star, I have looked for guidance, and my aim has ever been to promote the true interests of the nation and Texas."

10. **Santa Anna's Opinion of Texas.**—Santa Anna wrote to the Mexican Secretary of State: "I deem it my duty to call the special attention of the President to the condition of Texas. Satisfied as I am that the foreigners who have introduced themselves into that province have a strong tendency to declare themselves independent of the republic, and that all their remonstrances and complaints are but disguised to that end, I think it of paramount importance that General Filisola should forthwith proceed to fulfill his mission, having first been well supplied with good officers and the greatest number of troops possible, with instructions both to secure the integrity of our territory and do justice to the colonists. The interest of the nation requires a kind policy toward those people, for they have done us good service, and, it must be confessed, they have not on all occasions been treated with justice and liberality. That they have grounds to so feel toward our government is derogatory to the honor of the republic, and is deeply felt by them. Moreover, it is possible for them to become so exasperated as to make it impracticable to restore order among them without much trouble."

11. **The Minutes** of this convention were never printed and the MSS. were unfortunately destroyed. John Henry Brown says: "The records . . . were supposed to have been burned with the destruction of San Felipe in March, 1836, by the troops of Texas. . . . Through the memoranda of Major James Kerr I am enabled to give what is believed to be a full list of the delegates." The list contains fifty-six names, but the author adds, "There is some doubt about three or four of those named being members."

12. **Sam Houston** was born in Virginia, March 2, 1793. In 1806 or 1807 his father died, and his mother, with her nine

children, removed to Tennessee, which was then on the border of civilization. Here Sam went to school a little and worked on a farm. It happened one day that he found a translation of Homer's *Iliad*, read it, and became charmed. He asked his teacher to allow him to study Latin, but his request was refused. In a passion, he turned, and exclaiming, "I'll never recite another lesson as long as I live," left the school-room. His older brother put him in a store as clerk. He hated this life, and vowed he would die if forced to remain. He soon disappeared. Search was made, and he was at last found among the Cherokee Indians. In answer to the appeals of his brothers to return home, he replied: "I'd rather measure deer tracks than tape. Here I can have peace to read Homer, Virgil, and Demosthenes; so go off and let me alone." He remained with the savages till his clothes were worn to shreds. Going home, he stayed with his mother some time; but at the least show of tyranny from his brothers, he was off to the Indians. It is said that he could repeat the whole of Pope's translation of the *Iliad*. After a few years, he surprised every one by announcing his intention of opening a school! However, he made a success of his undertaking, had more pupils than he wanted, and raised the tuition from six to eight dollars per year! During the Creek War he joined the United States army (1813) and showed such bravery that he won the lasting friendship of Andrew Jackson. Later he studied law. After holding minor offices, he was, in 1823 and 1825, elected to Congress. At the close of his second term, he was elected governor of Tennessee. In January, 1829, he married a lovely and charming girl; but in a few months the bride went to her father's, and returned no more. The people were amazed, but no explanation was ever given. The cause of the separation is still a mystery. Houston resigned, gave up all the charms of civilized life, and sought refuge among the Cherokees, the friends of his boyhood. Years before he had been adopted by the chief of the tribe. On his arrival at the village, he was warmly welcomed, and invited to take part in all their councils. With the exception of some months spent in Washington, where he went to reveal to President Jackson the terrible wrongs of the Indians, Houston remained among the red men until 1832, when he came to Texas.

**David G. Burnet** was born at Newark, New Jersey, in 1788.



After receiving a liberal education he engaged in the mercantile business in New York, but tiring of this he (in 1806) joined General Miranda's expedition to free Venezuela from Spain. This effort proved a failure; after a varied experience, during which he lived some years with the Indians, in 1826 he located permanently in Texas. We have seen that he was one of the empresarios, but owing to the fault of the company that he represented, the colony was not a success. In 1831, as Mr. Burnet came again to Texas, bringing with him his bride from New York, he barely escaped death from shipwreck. The text shows the heroic part he played in the Texas Revolution and during the days of the Republic. After retiring from the Vice-Presidency he spent several years in peaceful quiet at his home near the San Jacinto River. In 1846 he became secretary of State; in 1866 he was chosen United States senator, but was not permitted to take his seat. He died at the advanced age of 83. Among the many talented men of Texas, Burnet was famous as a writer.

**13. Authority for Committee.**—As some discussion has arisen of late concerning the personnel of this commission, the pupil may feel interested to know that the above statement was obtained from President Burnet, from the manuscript of an unpublished history of Texas by F. W. Johnson, and from Hon. Guy. M. Bryan.

**14. Lorenzo de Zavala** was born in 1789 at Madrid, Spain, but spent his childhood and youth in Yucatan. He received a classical education, and also enjoyed the advantages of travel in Europe; his manner and demeanor were such as to win respect and admiration even from his opponents. In 1820 and 1821 he served as a member of the Spanish Cortes. His love of freedom and his outspoken enmity to the absolute power of rulers made him an object of suspicion at the Spanish Court. Returning from a trip to France, he learned that charges of treason had been brought against him, and, to save his life, he fled to Mexico. He took a prominent place among the Mexican Republicans, and was the first signer of the Constitution of 1824. He was for many years a member of the Mexican Congress, was governor of the state of Mexico and was a cabinet officer. In 1833 he went to Paris as Minister from the Republic of Mexico. Here he learned of Santa Anna's plans to make himself dic-

tator. De Zavala at once resigned and took refuge in Texas, thereby making Santa Anna his bitter enemy. De Zavala did all in his power to assist the Texas Revolutionists. After the battle of San Jacinto, he gave up his home (situated on De Zavala's Point on Buffalo Bayou) as a hospital for the sick and wounded, he and his family camping out in the fields. In 1835, while crossing the Bayou with his three-year-old son, the canoe capsized; he placed the boy upon the overturned boat and swam ashore. The exposure and the great mental strain under which he had so long labored brought on an attack of illness, from which he died November, 1836. Zavala was ever the friend of art and science, of culture in all its phases. His talent as a writer is especially shown in his "History of the Revolutions in New Spain."

15. **Austin's Journal.**—"Feb. 13, 1834, Mexico, when I was put in the inquisition, shut up in the dark dungeon No. 15 and not allowed communication with any one."

"Feb. 22. What a horrible punishment is solitary confinement, shut up in a dungeon with scarcely light enough to distinguish anything."

"March 2. I obtained to-day a book—a tale called yes and no. I prefer bread and water with books, to the best of eating without them. In a dungeon, the mind and thoughts require aliment more than the body."—Taken from Austin's Prison Journal, which he kept in a small note book so well hidden that it was not discovered when he was searched on being imprisoned. Published in Texas Historical Quarterly, January, 1899.

16. **Why Released.**—The real causes that led Santa Anna to release Austin have never been clearly explained. It is supposed, however, that he felt that Austin, to whom he had made many flattering speeches and whom he pretended to love, would have a beneficial effect in soothing the angry feelings of the Texans.

17. **Austin's Address.**—In a speech made to a large crowd that had come to welcome him, Austin said: "My friends, I can truly say that no one has been, or is now, more anxious than myself to keep trouble away from this country. No one has been, or is now, more faithful to his duty as a Mexican citizen. But how can I, or any one, remain indifferent when our rights, our all, appear to be in jeopardy? It is impossible. The crisis

is such that something must be done, and that without delay. What are we to do? Let all personalities, or division, or excitements, or passions, or violence, be banished from among us. Let a general consultation of the people be called as speedily as possible, and let them decide what representation ought to be made to the general government, and what ought to be done in the future."

18. **"Come and Take It!"**—During this time the Texans drew the cannon in full view of the enemy and placed upon it in large letters: "Come and take it."

19. **Milam's Escape.**—Viesca, the last governor of Coahuila and Texas, fled to keep from being captured by Santa Anna. He was assisted in making his escape by several friends, one of whom was Milam. The Mexicans captured the entire party in a mountain pass and took them to Monterey, from which city they were to have been carried to the gloomy prison at Vera Cruz, but fortunately each of the captives escaped.

20. **Andrews** was mortally wounded early in the battle, but, turning to his nearest comrades, he said: "I'm a dead man, but don't let the other boys know it. Tell them to conquer or die." A county in West Texas is named in his honor.

21. **Reception of the Grays.**—These received a most enthusiastic welcome to Texas. When they arrived at Velasco and Quintana cannon were fired, flags were unfurled, and the air was rent by the cheers of the entire populace. At Brazoria their line of march was made literally a bed of roses by the fair young girls of the Brazos, and they were banqueted in most hospitable style by Mrs. Long, widow of General Long. Every town through which they passed gave them a like reception.

22. **Edward Burleson** was born in North Carolina, in 1798. When his father went to the Creek war, young Burleson accompanied him to keep the muster-roll. Here Burleson received his first lessons in military tactics from Andrew Jackson. In 1829, he came to Texas, and at once made himself known by his skill in fighting the Indians. After taking a most conspicuous part in the Texas Revolution and in the Republic he entered the United States army as a member of Gen. Henderson's staff, and did valiant service throughout the Mexican war. Returning to Texas he settled near the source of the San Marcos River,

and was elected State senator. On entering the Senate he was made president of that body by a unanimous vote. He died in Austin, December, 1851. Many prominent Texans of to-day are proud to trace their lineage back to this "hero of 31 battles who was never known to retreat."

23, 24. **Grass Fight.**—These days of waiting were enlivened by frequent skirmishes. General Cos was expecting each day reinforcements under Ugartechea, who was also to bring large quantities of silver. The Texans resolved to capture this treasure before it reached San Antonio. On November 26, Deaf Smith, the famous scout, saw and reported the approach of 100 men with heavily laden pack-mules; the natural inference was that these men were the advance guard of Ugartechea and that the bags contained silver. Bowie and 100 of his soldiers hastened to attack the approaching Mexicans, but before they reached the enemy heavy reinforcements were sent out by General Cos. General Burleson also led out aid to his men, and a running fight ensued, in which the Mexicans were so badly worsted that they abandoned the mule-packs and made all possible haste to reach their fortifications. When the Texans eagerly opened the bags to count out the shining coins they found nothing but grass. The men whom Deaf Smith had seen were not from Ugartechea's army, but were soldiers sent out by Cos to cut grass for his starving horses; as this was the only provender to be had. This skirmish, known as the "Grass Fight," served to make the Texans more confident.

25. **Milam Monument.**—Little is known of Milam's early life. In the war of 1812, he was noted for his bravery; next we hear of him as an Indian trader in Texas, then as assisting the Mexican patriots against the tyrant, Iturbide. He was imprisoned again and again, but always managed to escape. After the capture of San Antonio his body was removed, and now lies in Milam Square, where the Daughters of the Republic have erected a monument in his honor.

26. **General Burleson.**—During the storming of San Antonio, General Burleson had remained in camp with reserve troops, ready at any moment to march to Milam's assistance, if he should be needed.

27. **The name Consultation** was used instead of Convention,

as the Mexicans had come to think all conventions treasonable bodies.

28. **There were delegates** from the following places: Bevil, San Augustine, Nacogdoches, Columbia, Austin, Liberty, Harrisburg, Matagorda, Mina, Washington, Gonzales, Viesca, Tenaha, and Jefferson.

29. **Governor Smith's Orders.**—About the middle of December, 1835, however, Governor Smith had ordered General Houston to appoint Colonel Bowie to lead an expedition against Matamoras. For some reason Bowie did not go, but the Governor's enemies did not fail to bring up this action.

30. **Dr. Grant**, a Scotchman, who had acquired an immense estate in Coahuila, was a member of the Coahuila Legislature. Not being a supporter of Santa Anna's schemes, he had been forced to flee. He had assisted in the storming of San Antonio, where he had shown great bravery. He wished to overthrow Santa Anna, and to restore the Constitution of '24, that he might return to his hacienda.

31. **Governor Smith's Message.**—The following is an extract from Governor Smith's message: "I know you have honest men there, and of sterling worth and integrity; but you have Judases in the camp—corruption, base corruption, has crept into your councils—men who, if possible, would deceive their God. I am now tired of watching scoundrels abroad and scoundrels at home. Look around your flock; your discernment will easily detect the scoundrels. Let the honest and indignant part of your council drive the wolves out of the fold. They are parricides, piercing their devoted country, already bleeding at every pore."

32. **Travis.**—We know little of William Barret Travis' life before he came to Texas. He taught school, studied law and emigrated from one of the southern states to Texas. We have already seen how he was imprisoned by Bradburn at Anahuac, because he dared to express his disapproval of the officer's course. He afterward moved to San Felipe, and began the practice of law. At the time of his death, Travis was about twenty-seven years old. In personal appearance he was tall, with a well-proportioned figure; his carriage was soldier-like, and his counte-

nance attractive. He married one of his pupils in Alabama, and left two children, a son and a daughter. No authentic picture of him is known.

**James Bowie** spent his early life in Louisiana. He and his brother Rezin were great hunters; Rezin Bowie invented the knife that bears his name, and presented the first one he made to James, for use in the chase. After serving in Long's expedition, Bowie settled in Saltillo, where he married the daughter of Vice-Governor Veramendi of San Antonio. At the battle of Concepción he was second in command.

**Crockett.**—Born in August, 1786, from boyhood David Crockett was known throughout Tennessee as the champion hunter. He fought bravely in the War of 1812. In 1823 he was elected to the State legislature. He felt sure that the Lord had called him to be a member of the United States Congress. Though uneducated, he possessed the knack of speaking to please the country people, and he was sent to Washington by a fine majority, in 1827 and 1829. He was opposed to President Jackson and for this reason was defeated in 1831. He came to Texas in 1836. His autobiography is a curious piece of literature.

**James Butler Bonham** (according to John Henry Brown) was born in South Carolina in 1807 and was a boyhood friend of Travis. He studied law, settled in Alabama, came to Texas in 1835, met Travis and was one of the garrison at the Alamo. He was sent to Goliad and to Gonzales for aid. Having failed to secure reinforcements, on the ninth day of the siege he made his way through the Mexican lines and entered the Alamo to die with Travis and his heroic band.

33. **Mrs. Dickinson**, one of the survivors of the Alamo, says: "While I was sitting at my door-way, wondering if the bells that had just ceased ringing were giving the alarm of the arrival of the Mexicans, my husband galloped up, and cried, 'The Mexicans are upon us. Give me the babe, and jump up behind me.' As the enemy were already in one of the streets, we hurried across the river, and entered the fort at the southern gate. The shots and shells were already falling near us, but we escaped."

34. **Captain Reuben M. Potter's Description of Alamo.**—



"From the recollection of the locality, as I viewed it in 1841, I could trace in 1860 the extent of the outer walls, which had been demolished about thirteen years before the latter period. The dimensions here given are taken from actual measurements then made, and accompanying diagram gives correct outlines, though without aiming at close exactitude of scale. The figure A in the diagram represents the chapel of the fort, seventy-five feet long, sixty-two wide, and twenty-two and a half high, with walls of solid masonry four feet thick. It was originally of but one story, and if it then had any windows below, they were probably walled up when the place was prepared for defense. B locates a platform in the east end of the chapel; C designates its door, and D marks a wall fifty feet long and about twelve feet high, connecting the chapel with the long barrack E, E. The latter was a stone house of two stories, one hundred and eighty-six feet long, eighteen feet wide, and eighteen feet high. F, F is a low one-story stone house barrack one hundred and fourteen feet long and seventeen feet wide, having in the center a *porte cochère*, S, which passed through it under the roof. The walls of these two houses were about thirty inches thick, and they had flat terrace roofs of beams and plank, covered with a thick coat of cement. G, H, I, K were flat-roofed, stone-walled rooms, built against the inside of the west barrier. L, L, L, L, denote barrier walls, enclosing an area one hundred and fifty-four yards long and fifty-four wide, with the long barrack on the east and the low barrack on the south of it. These walls were two and three-quarters feet thick, and from nine to twelve feet high, except the strip which fronted the chapel, that being only four feet in height. This low piece of wall was covered by an oblique intrenchment, marked R, and yet to be described, which ran from the southwest angle of the chapel to the east end of the low barrack. M marks the place of a palisade gate at the west end of the intrenchment. The small letters (n) locate the doors of several rooms, which opened upon the large area. Most of those doors had, within, a semicircular parapet for the use of marksmen, composed of a double curtain of hides, upheld by stakes and filled in with rammed earth. Some of the rooms were also loop-holed. O, O mark barrier walls, from five to six feet high and two and three-quarters

thick, which enclosed a smaller area north of the chapel and east of the long barrack. P designates a cattle-yard east of the barrack and north of the small area; it was enclosed by a picket-fence. Q shows the locality of a battered breach in the north wall.

"The above described fort—if it merited that name—was, when the siege commenced, in the condition for defense in which it had been left by the Mexican general, Cos, when he capitulated. . . . The chapel, except at the west end and north projection, had been unroofed, the east end being occupied by the platform of earth, B, twelve feet high, with a slope for ascension to the west. On its level were mounted three pieces of cannon. One (1) a twelve-pounder, pointed east through an embrasure roughly notched in the wall; another (2) was aimed north through a similar notch, and another (3) fired over the wall to the south. High scaffolds of wood enabled marksmen to use the top of the roofless wall as a parapet. The intrenchment (R) consisted of a ditch and breastwork, the latter of earth packed between two rows of palisades, the outer being higher than the earth. Behind it and near the gate was a battery of four guns (4, 5, 6, 7), all four-pounders, pointing south. The *porte cochère* through the low barrack was covered on the outside by a lunette of stockades of earth, mounted with two guns (8, 9). In the southwest angle of the large area was an eighteen-pounder (10), in the center of the west wall a twelve-pound carronade (11), and in the northwest corner of the same area an eight-pounder (12), and east of this, within the north wall, two more guns of the same calibre (13, 14). All guns of this area were mounted on high platforms of stockades and earth, and fired over the walls. The several barriers were covered on the outside with a ditch, except where such guard was afforded by the irrigating canal which flowed on the east and west sides of the fort, and served to fill the fosse with water."—(Colonel R. M. Potter's Account, Magazine of American History.)

35. **The Flag.**—As Texas had not yet declared herself independent of Mexico, they still fought under the Mexican flag. This design was a tri-colored banner bearing two stars, which were to represent the "Twin States," Texas and Coahuila. This was called the federal flag of 1824.

36. **Dr. Garrison says:** "As the defense of the Alamo is the most heroic event in American history, so, as the writer of this volume believes, is the letter in which Travis announced the opening of the siege the most heroic document among American historical records." "Texas," p. 207.

37. **Good Cheer.**— Yet, in spite of all this, the spirits of our men were not cast down. Crockett was a good violinist, and often played to cheer the weary soldiers. Travis writes, in one of his last letters: "I am still here, in fine spirits and well to do. I shall continue to hold the fort till I get relief from my countrymen, or I will perish in its defense. Take care of my little boy. If the country be saved, I may make him a splendid fortune; but if the country be lost and I should perish, he will have nothing but the proud recollection that he is the son of a man who died for his country."

38. **General Cos**, in spite of his solemn promise never to bear arms against Texas, was one of Santa Anna's officers.

39. **The Only Survivors of the Alamo** were Mrs. Dickinson, her infant daughter, Mrs. Allsbury and child, of San Antonio, a Mexican woman, and a negro servant. Mrs. Dickinson tells the following story: "After the struggle had lasted some time, my husband rushed into the church where I was with my little daughter, and exclaimed: 'Great God, Sue, the Mexicans are inside our walls; all is lost. If they spare you, save my child.' Then, with a parting kiss, he drew his sword and plunged into the strife. Soon after he left me, three unarmed gunners came into the church and were shot down by my side. Just then a Mexican officer came in, and asked me in English: 'Are you Mrs. Dickinson?' I answered, 'Yes.' 'Then,' said he, 'If you wish to save your life, follow me.' I followed him, and, although shot at and wounded, was spared."—MORPHIS.

40. **The Loss of the Mexicans** is not known. Santa Anna reported 70 killed and 300 wounded, while Alcalde Ruiz, who was in charge of the burial of the Mexican dead, wrote that Santa Anna lost 1,600 men.

41. For the **Declaration of Independence**, see page 163.

42. **Travis's Letter.**— On Sunday, March 6, the last letter written by Travis was received. The Convention met, and the president read the message. All were deeply touched. One

member sprang to his feet and moved that the members of the Convention arm themselves, and immediately march to Travis's relief. Houston opposed this. He claimed that the first duty of the Convention was to establish a government, and adopt a constitution, and that fifty-six men—the number of members—could do nothing toward cutting a passage through Santa Anna's ranks. He promised that he himself would at once start for San Antonio. His eloquence carried the day, but before he could collect troops and secure the means for relieving the Alamo it was too late.

43. **Cabinet.**—The men who composed President Burnet's first cabinet were: Samuel P. Carson, Secretary of State; Bailey Hardeman, Secretary of Treasury; Thomas J. Rusk, Secretary of War; Robert Potter, Secretary of the Navy, and David Thomas, Attorney-General. Five of these six, including Burnet, have counties in this State named in their honor.

44. **Fannin** was the last to be sacrificed. He met his death with unflinching courage, as, indeed, did all the little band. He made three requests of the Mexican officers: that his watch might be sent to his wife, that he might be shot in the breast, and that his body might be given Christian burial. He was promised all he asked; but the watch remained in the officer's pocket, Fannin was shot in the head, and his body left unburied.

45. **Col. Garay**, an officer in the Mexican army, generously saved three physicians and a few of Fannin's men by concealing them in his tent during the massacre. Senora Alvarez, the wife of one of Urrea's officers, was also exceedingly kind to the prisoners, and succeeded in releasing more than one poor Texan. Dr. Barnard and Dr. Shackelford have written interesting accounts of the Battle of the Coleto and of the massacre.

46. **Other Reading.**—See Mrs. Kate Scurry Terrell's "The Runaway Scrape," Scarff's Comprehensive History of Texas, p. 669. Also Mrs. Harris' experiences in the "Texas Historical Quarterly."

47. **Erastus or Deaf Smith** rendered the Texan army great service during the entire revolution. As a guide and a spy he was without a superior. He took part in nearly every important battle during the war, and always distinguished himself by his coolness, silence, and bravery.

48. **Numbers Engaged.**—Most authorities now agree that Houston had less than eight hundred men and Santa Anna about 1,250 men.

49. **Commanders.**—The extreme left was commanded by Colonel Sidney Sherman, the center by Colonel Edward Burleson; on the right was placed the artillery under Colonel George Hockley; next came four companies of infantry under Lieutenant-Colonel Millard, and then the 61 cavalrymen under Colonel Mirabeau Lamar.

50. **Sherman**, leading the charge, uttered the famous cry: "Remember the Alamo." The Texans' fife and drum played "Will you come to the Bower?"

51. **Conversation Between Houston and Santa Anna.**—An eye-witness to the meeting between Santa Anna and Houston has reported their conversation, of which the following is an abbreviated account: *Santa Anna*: "It devolves upon you to be generous to the vanquished." *Houston*: "You should have remembered that at the Alamo." *Santa Anna*: "It was justified by the usage of war. They had refused to surrender; the place was taken by storm; the usage of war justifies the slaughter of the vanquished!" *Houston*: "That custom is now obsolete; civilized nations have grown more humane." *Santa Anna*: "But I was acting under the orders of my government." *Houston*: "*You* were the government of Mexico; a Dictator, sir, has no superiors." *Santa Anna*: "I have orders, General Houston, to exterminate every man found in arms in Texas, and to treat all such as pirates. They have no government, and are fighting under no recognized flag." *Houston*: "The Texans flatter themselves they have a government, and they will probably be able to make a flag. What excuse have you to offer for the massacre at Goliad? They had capitulated on terms offered by your general, and yet were perfidiously massacred." *Santa Anna*: "I declare to you, General, I did not know they had surrendered. General Urrea informed me he had conquered them: hence I ordered their execution. If the day ever comes when I get Urrea into my hands, I will execute him for his falsehood." It is needless to say the last remark of Santa Anna contained not a grain of truth.

52. **President Andrew Jackson** wrote thus to General Houston: "I take the liberty of offering a remark or two upon a

report which is current here, that Santa Anna is to be brought before a military court to be tried and shot. Nothing now could tarnish the character of Texas more than such an act as this. Sound policy as well as humanity approved of the counsels which spared his life. His person is still of much consequence to you. He is the pride of the Mexican soldiers, and the favorite of the priesthood. While he is in your power, the difficulties of your enemy in raising another army will continue to be great. The soldiers of Mexico will not willingly march into Texas, when they know that their advance may cost their favorite general his life. Let not his blood be shed unless imperious necessity demands it, as a retaliation for future Mexican massacres. Both wisdom and humanity enjoin this course in relation to Santa Anna."

53. **San Jacinto Battle Ground.**—Through the untiring efforts of the Daughters of the Republic of Texas the State has purchased the ground made famous by the Battle of San Jacinto.

## ERA V

1. **Houston's Cabinet.**—The other members of Houston's first cabinet were: Secretary of Treasury, Henry Smith; Secretary of War, Thomas J. Rusk; Secretary of Navy, S. Rhoads Fisher; Postmaster-General, Robert Barr; Attorney-General, J. Pinckney Henderson.

2. **Candidates Suicide.**—The candidates for the Presidency were Lamar, James B. Collinsworth, Peter W. Grayson and Robert Wilson. Before the election both Collinsworth and Grayson committed suicide. John A. Wharton also died in 1838.

3. **Lamar.**—Mirabeau B. Lamar, the descendant of an ancient Huguenot family, was born in Georgia, in 1798. After an honorable career in his own State, he visited Texas, and was so pleased that he decided to make it his home. He won the admiration of both officers and soldiers by daring bravery in the battle of San Jacinto. Under Burnet's administration he was Secretary of War; in 1836 he was elected Vice-President. During the war between Mexico and the United States, Lamar showed himself a gallant commander. Later he was United States Minister to the Argentine Republic. He was noted for



his courtly manners, distinguished bearing and literary ability. He died in 1859.

4. **A Pig Causes Trouble.**—France remained extremely friendly with Texas until 1841, when a pig came near making serious trouble. A pig belonging to an Austin hotel-keeper chanced one day to wander into the garden of M. de Saligny and help himself to a generous supply of corn. The French hostler abused the pig, whereupon the landlord horsewhipped the hostler. Saligny, angry at this treatment of his servant, made complaint, and the landlord was bound over to appear before court. The two men also had some difference over a bill. A few days afterward Saligny was in the hotel, when mine host ordered him out of the house. As the government did not make sufficient amends, Saligny demanded his passports and left the country. It is said through his influence the Texans were prevented from obtaining a large loan in France. The President, however, finally managed to satisfy him, and all was once more harmonious.

5. **Treatment of Indians.**—It must seem cruel to the young student, when he reads how the Indians were driven from place to place, and hunted down like beasts, but he must remember the provocation his Texan ancestors had. In those dark days no mother on our broad Western prairies ever rocked her babe to sleep at eventide without the fear that the morning would find it torn from her arms and murdered by the red men.

6. **Mrs. Rebecca Fisher's** experience shows the terrors of those days. In 1840 the Comanches killed her parents and took captive the lovely seven-year-old girl and her brother. As the Indians were pursued, Mrs. Fisher says, "They pierced my little brother through the body and, striking me with some sharp instrument on the side of the head, they left us for dead. We were rescued next morning."

7. **Colonel Fisher and General Green.**—Colonel Fisher, General Green, who wrote an account of the expedition, and a few others had been sent out earlier that morning and were thus kept from escaping. In attacking the guard five Texans were killed and five wounded; some twenty of the prisoners refused to take part in the plot. Colonel Fisher and General Green escaped from the castle of Perote later.

8. **Ashbel Smith.**—Peel and Guizot pronounced it one of the finest pieces of State literature they had ever seen. To Hon. Ashbel Smith, one of Texas's most accomplished sons, is due much of the credit of England's interest in Texas. He became popular in London, and induced many of the leading men to inform themselves upon Texas affairs.

9. **Anson Jones.**—Anson Jones was born in Massachusetts, in 1798. At the age of twenty-two, he was licensed to practise medicine. He immigrated to Texas in 1833, settling in Brazoria. He was strongly in favor of Texan independence, and did good work on the battle-field and in the hospitals. He was a member of the Texas Congress, Minister to the United States, and Secretary of State before he became President. At the annexation of Texas, he retired to his plantation, where he busied himself with his professional and literary labors until 1858, when, in a fit of despondency, he took his own life. His "Republic of Texas" contains much that is valuable to the student of Texas history.

10. **President Jones' Valedictory.**—The following is an extract from President Jones's valedictory, when he turned over the government to Governor Henderson: "The great measure of annexation, so earnestly discussed, is happily consummated. The present occasion, so full of interest to us and all the people of this country, is an earnest of that consummation; and I am happy to greet you, their chosen representatives, and to tender to you my cordial congratulations on an event the most extraordinary in the annals of the world—one which makes a bright triumph in the history of republican institutions. A government is changed both in its officers and in its organization, not by violence and disorder, but by the deliberate and free consent of its citizens; and amid perfect and universal peace and tranquillity the sovereignty of the nation is surrendered, and incorporated with that of another. . . . The Lone Star of Texas, which ten years since arose amid clouds, over fields of carnage, and obscurely seen for awhile, has culminated, and following an inscrutable destiny, has passed on and become fixed forever in that glorious constellation, which all freemen and lovers of freedom in the world must reverence and adore—the *American Union*. Blending its rays with its sister States, long

may it continue to shine. . . . The first act in the great drama is now performed. The Republic of Texas is no more."

**II. Flag of the Republic.**—"It is universally believed in Georgia, that the flag of the Lone Star was the work of Miss Troutman, of Crawford County, Georgia, now Mrs. Pope, of Alabama; and by her presented to the Georgia battalion, commanded by Lieutenant-Colonel Ward.

"It was of plain white silk, bearing an azure star of five points on either side. On one side was the inscription: '*Liberty or Death*,' and on the other, the appropriate Latin motto: '*Ubi libertas habitat, ibi nostra patria est*.'

"This flag was unfurled at Velasco on the 8th day of January, 1836, and proudly floated on the breeze from the same liberty pole with the first flag of independence, which had just been brought from Goliad by the valiant Captain William Brown, who subsequently did such daring service in the navy of Texas.

"On the meeting of the first Congress, the flag of the Lone Star was adopted as the national flag of the young republic.

"A correspondent of the *Central Texan* denies the claim of Georgia, and insists that the *first* Lone Star flag ever unfurled in Texas was presented by Mrs. Sarah R. Dawson to a company of volunteers raised in Harrisburg, Texas, in 1835, and commanded by Captain Andrew Robinson. The flag was a tri-color of white, red and blue. The star was white and five-pointed." *From Texas Almanac, 1861.*

## ERA VI

**I. J. Pinckney Henderson** was born (1809) in North Carolina. Before he was twenty-one he had been admitted to the bar. In 1836 he came to Texas in command of a company of volunteers. Soon made attorney-general under Houston, in 1837, he was sent as special minister to France and England to secure the recognition of Texas independence. In 1844 he went as minister to the United States. At the close of his term as governor, he refused to stand for reëlection. In 1857 he was elected to the United States Senate. He died in Washington City, 1858.

**2. Thomas Jefferson Rusk** was born (1803) in South Carolina. He won the friendship of John C. Calhoun, by whose

aid he gained an education and was licensed to practise law. He moved to Georgia, but after a visit to Texas in 1834 or 1835 he determined to make it his home. Under Burnet he became secretary of war. He spent much time in the Texas camp, and often, in the darkest days, his eloquence roused the drooping spirits of the patriot army. At the battle of San Jacinto he was conspicuous for his bravery. In 1837 he was in the Texan Congress. Soon after he went against the Indians, who were proving troublesome, and defeated them. After serving as chief-justice, he was made president of the annexation convention, and was elected United States senator from Texas. In 1857, to the surprise and grief of his friends, he committed suicide. The loss of his wife the year before wrecked his health and caused this sad termination of a useful life. In 1894 the state erected a monument over his grave in Nacogdoches.

3. **George T. Wood.**—Little is known of the private life of Governor Wood. He came to Texas from Georgia, which was his native state. As a member of the Texas Congress, as a state senator, as an officer in the Mexican War, his career was successful. He died in 1856.

4. **Peter Hansboro Bell**, born in Virginia (1810), came to Texas in 1836. In the battle of San Jacinto, he distinguished himself by his bravery. After holding several offices under the Republic, he entered the Mexican War and was made colonel of volunteers. In 1853, near the close of his second term as governor, he was sent to Congress. Having served as congressman four years, he moved to North Carolina, from which state he entered the Confederate army and was made colonel of a regiment that did valiant service. He died in 1898.

5. **Clay, Webster, Calhoun.**—It is interesting to note that in the great debate on the Compromise, the intellectual giants of the period, Henry Clay, Daniel Webster, and John C. Calhoun, once more and for the last time met in debate on the floor of the Senate. Clay and Webster favored, while Calhoun opposed the Compromise.

6. **Elisha M. Pease** was born in Connecticut in 1812. He came to Texas in 1835. He held the offices of chief clerk in the navy and treasury, comptroller of public accounts, state representative, and state senator. In 1853, he was chosen governor.

In 1855 he was reëlected by a handsome majority. In 1867, General Sheridan appointed Pease provisional governor, but he resigned in 1869. In 1879 he accepted the office of collector of customs at the port of Galveston. Being opposed to secession, he took no part in public affairs during the war. He died in 1883.

**7. Scaling Public Debt.**—The debts contracted by the Texas Republic were not settled at their face value, but were scaled to meet what the Texas authorities thought a just settlement. Many of the bonds issued were purchased from the Republic at sixteen cents on the dollar; therefore a man paid for \$8,000 worth of bonds only \$1,280. It was agreed that this man, when his bonds were redeemed, should not expect to receive \$8,000, but must be satisfied with a trifle more than the actual purchase money and the accrued interest.

**8. Hardin R. Runnels** came to Texas from Mississippi in 1841 or 1842. In 1853, he was Speaker of the House of Representatives. After holding the office of lieutenant-governor, with Pease, he was, in 1857, elected governor. His chief opponent was General Houston, who had lost his popularity among the people by his views on the "Kansas and Nebraska Bill." (See United States History.) After his term expired, Governor Runnels retired to his plantation on Red River, where he died in 1873.

**9. Cynthia Ann Parker.**—It was during one of these campaigns that Lieutenant L. S. Ross, afterwards governor of Texas, rescued the long-lost Cynthia Ann Parker, who had been for nearly twenty-five years a captive among the Comanches. In 1836 or 1837, a settlement called Parker's Fort was attacked by the Indians. Most of the inhabitants were either killed or captured. Among the latter was Cynthia Ann Parker, then a child of nine years. For five years no trace of her could be found. Colonel Williams happened, in one of his trading tours through the Comanche tribes, to hear of a white maiden who had been adopted by an Indian family. He went to the parents and offered to ransom the girl, but was told that no money could buy her. He was allowed to see Cynthia Ann, but could not persuade her to speak a word. Whether she had been ordered by the Indians to be silent, or had forgotten the English language, Colonel Williams could not tell. Cynthia Ann married a brave

chief, Peta Nacona; she was devoted to him and her children. When the Texans, under young Ross, attacked and defeated the Comanches, Peta Nacona tried to escape with his wife and little ones. He was killed; the two sons fled, and Cynthia Ann, with her daughter, Prairie Flower, was captured. So soon as General Ross noticed her blue eyes, he felt sure she was the Cynthia Ann of whom he had heard so much during his boyhood. She was sent to her uncle, but she did not like the new life, and longed for her wild home with her savage chief. She tried to escape, but her uncle prevented. She and the tiny daughter lived only a few years. One of her sons, Quanah Parker, became a chief of the Comanches.

10. **Edward Clark** was born in 1818 in Georgia. He came to Texas in 1843. After holding the offices of state representative, senator, and secretary of state, he was, in 1859, elected lieutenant-governor. He died at Marshall, May, 1880.

11. **Frank R. Lubbock** was born in South Carolina in 1815. In 1829 his mother was left a widow, with seven children, and he began to support himself. Influential friends secured for him a West Point cadetship, but he refused it, saying his first duty was to his mother. In 1836 he came to Texas. He was made comptroller under President Houston. When Lamar became president, Lubbock was thrown out of a position. Not finding more congenial work, he began farming and wood-cutting. Such industry was bound to succeed. He was elected district clerk in 1841, and served until 1857, when he was made lieutenant-governor. He was, in 1861, elected governor. At the close of his term, he entered the Confederate army. He was selected by President Jefferson Davis as one of his aides. At the end of the war Governor Lubbock was imprisoned for seven months. In 1878 he was elected state treasurer, an office he held till 1891. He died at his home in Austin, 1905.

12. These vessels were the **Harriet Lane**, **Owasco**, **Westfield**, and **Clifton**.

13. **General Houston's Grave.**—On March 2 of each year the students of the Sam Houston Normal visit General Houston's grave, and hold there a memorial service. In 1907 the legislature appropriated ten thousand dollars to erect a suitable monument over the grave.



14. **Pendleton Murrah**, a native of South Carolina, moved in his early manhood to Alabama, where he engaged in the practice of law. On coming to Texas, he continued his profession till 1857, when he was sent to the legislature. In 1863 he was elected governor. When the Confederacy surrendered, he fled to Mexico. In 1865 he died at Monterey.

15. The following is a list of Texans who reached high positions in the Confederate service: General Albert<sup>s</sup> Sidney Johnston (killed in 1862 at the battle of Shiloh. His remains now lie in the State Burying Ground at Austin); Lieutenant-general John B. Hood; Major-generals S. B. Maxey, J. A. Wharton, Tom Green (killed in 1864); Brigadier-generals Hilary P. Mabry, Hamilton P. Bee, Xavier B. De Bray, Richard M. Gano, Wm. P. Hardeman, Adam R. Johnson, Wm. Henry Parsons, Lawrence Sullivan Ross, Thomas N. Waul, Wm. H. King, Wm. Steele, Wm. Reid Scurry, Horace Randall, John W. Whitfield, P. C. Archer, of United States army (killed), Matthew D. Ector (lost a leg at Atlanta, Ga.), Ben McCulloch (killed), Louis Wigfall, Allison Nelson, Henry E. McCulloch, Joseph L. Hogg, H. B. Granbury (killed at Franklin, Tenn., in Hood's campaign), Walter P. Lane, Thomas Harrison, James E. Harrison, John Gregg (killed in a later battle around Richmond, Va.), Richard Waterhouse, Jerome B. Robertson, Felix H. Robertson, Frank C. Armstrong, Elkanah Greer, Arthur P. Bagby. There were about 1900 Texans in the Union army; these were commanded by Colonel (afterwards Brigadier-general) E. J. Davis and Colonel John L. Haynes.

16. **A. J. Hamilton** was born in Alabama, in 1815. He came to Texas in 1846. He held the offices of attorney-general, representative, presidential elector, and congressman. He was a Unionist, and refused to leave his post in Congress until Texas had seceded. Returning home in 1861, he found himself unable, in accordance with his conscience, to assist Texas; hence he went back to Washington and was made brigadier-general of Texas troops in the Union army. He was in 1867 made associate justice of the Supreme Court; in 1868 he was a member of the second Reconstruction Convention, in which he urged a just and liberal treatment of all citizens. He died in 1875 at his home in Austin.

17. **June 19th.**—The date June 19 has ever since been celebrated as emancipation day by the Texas negroes.

18. **James W. Throckmorton** was born in Tennessee in 1825 and came to Texas in 1841. After serving with the Texas Rangers as surgeon in the Mexican War, he studied law. In 1851 he was elected to the legislature, where he served several terms. He was opposed to secession, being one of seven who voted against the measure. Yet when Texas seceded, he said: "I shall never draw a sword to stab my state, but shall shoulder my musket and stand by her until death." He entered the Confederate army. He was elected President of the Reconstruction Covention. When he was removed from the governor's chair by Sheridan, Governor Throckmorton returned home. In 1874 he was made congressman. He served in this capacity four years; his health failing, he retired to private life. He died at his home, in McKinney, in 1894.

19. **Iron clad oath.**—This oath read as follows: "I do solemnly swear, that I have never voluntarily borne arms against the United States since I have been a citizen thereof; that I have voluntarily given no aid, countenance, counsel, or encouragement to persons engaged in armed hostility thereto; that I have neither sought, nor accepted, nor attempted to exercise the functions of any office whatever under any authority in hostility to the United States; that I have not yielded a voluntary support to any pretended government authority, power, or constituton within the United States hostile thereto; and I do further swear that, to the best of my ability, I will defend and support the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will faithfully perform the duties of the office on which I am about to enter, so help me God."

20. **Hancock** won the lasting affections of the Texans. When he became a candidate for the democratic nomination for the presidency, his nomination was seconded by Governor Hubbard in so eloquent a speech as to win for the orator a national reputation.

21. **Edmund J. Davis**, a native of Florida, came to Texas in 1848. He held various offices of trust until 1861, when he refused to take the oath of allegiance to the Confederacy. He joined the Union army, in which he remained till the close of the war. Returning to Texas, he was elected a member of both

Reconstruction Conventions, being made president of the second convention. He died at Austin in 1883.

22. **Amendments.**—The Fourteenth Amendment declares all persons born or naturalized in the United States to be citizens. The Fifteenth Amendment declares that the right of citizens to vote shall not be denied or abridged on account of race, color, or previous condition of servitude.

23. **Guy M. Bryan**, was born in Missouri in 1821 and came to Texas in 1831. During the Texas Revolution, in spite of his youth, he was entrusted as a courier to bear important news. After graduating at Kenyon College, Ohio, he studied law, served in both houses of the legislature, was elected to Congress, entered the Civil War as a private and came out a colonel after having been sent on many important missions by President Jefferson Davis and other Confederate leaders. As Speaker of the fourteenth legislature he bore himself nobly. Later President Hayes called him to the White House to confer with him concerning matters in the South. Colonel Bryan helped to organize the Texas Veterans' Association and the Daughters of the Republic. At his death, which occurred in Austin in 1901, he gave as a priceless treasure to the University of Texas, the Austin Papers; these letters and documents left by his uncle, Stephen F. Austin, form "the most valuable single collection in the Southwest."

24. **Richard Coke** was born at Williamsburg, Virginia, in 1829. At the age of nineteen, he graduated with honor from William and Mary College; later he was admitted to the bar. Moving to Texas in 1850, he located at Waco. He soon became prominent in his profession and was chosen district judge. He entered the southern army as a private, served four years, and came out a captain. In 1866 he became associate justice of the supreme court, but was soon removed, as an impediment to reconstruction. In 1876 he was elected United States senator, an office that he held eighteen years. In 1895 he declined to be a candidate for reelection, and retired to private life. He died in Waco in 1897.

25. **Richard B. Hubbard**, a native of Georgia, was born in 1832. Graduating at eighteen from Mercer University, he then took the law course at the University of Virginia and at Har-

vard. In 1853 he came to Texas and settled in Tyler, where his eloquence won for him the title of the "Young Demosthenes." In 1856, he was a member of the National Democratic Convention. Soon after, he was made United States attorney for western Texas, an office he resigned to enter the legislature. During the war, he was a colonel of Confederate infantry. In 1873, he was nominated for lieutenant-governor. When Governor Coke resigned, his place was taken by Governor Hubbard. In 1884 Governor Hubbard's services were in constant demand as a campaign speaker. In 1885, he was appointed by President Cleveland minister plenipotentiary to Japan. He died in Tyler in 1901.

26. **Oran M. Roberts** was born in South Carolina in 1815. His early life was one of hardships. He graduated from Alabama University in 1836. In 1841, he moved to Texas, where he began the practice of law in San Augustine. He filled the offices of district attorney, district judge, and justice of the Supreme Court. He entered the Confederate army, and was elected colonel of the "Eleventh Texas Infantry." In 1864, he was elected chief-justice of Texas. In 1866 he was elected to the United States senate, but was not allowed to take his seat, as Texas was not reconstructed. In 1874 he was again made chief-justice. He held this position until he was elected governor. In retiring from the governor's chair in 1883, he went to his farm near Austin. In the fall, however, he was chosen professor of the Law department of the state university. In 1893 he resigned this position. He died in 1898.

27. **The Peabody Fund** is a large sum of money left by the philanthropist George Peabody, the interest on which is to be spent on southern educational institutions.

28. **John Ireland** was born in Kentucky in 1827. He says: "What education I got I paid for by working two days in the week for five days' schooling at an 'old field school.'" Before he was twenty-one he was made deputy sheriff of his native county. When twenty-four he began the study of law. In 1853, he came to Texas and settled at Seguin. He entered the army as a private, and came out a colonel. He writes: "My chief fighting was done with mosquitoes on the coast"; but his soldiers tell a different story. He served as district judge, member of both houses of the legislature, supreme judge and member of

the National Democratic Convention. In 1882, he was nominated for governor by acclamation; this happened again in 1884. In 1887 Governor Ireland retired to his home in Seguin, and resumed the practice of law. He died in 1896.

29. **Lawrence S. Ross** was born (1838) in Iowa, and came to Texas in 1839. In 1858, while at home from Wesleyan University, Alabama, for the summer vacation, he raised a company of friendly Indians, and joining General Van Dorn, set out on a campaign against the Comanches. A battle was fought at Wichita Mountains, in which young Ross displayed skill and courage. At one juncture his men, thinking they were being mistaken by Van Dorn's for Comanches, fell back out of the smoke of battle, leaving the "Boy Captain" and three companions surrounded by the foe. Ross was seriously wounded. Refusing the military positions offered him, he returned to the University, where he graduated with honor. He afterward won widespread fame by the defeat of the Comanches. He entered the Civil War a private and came out a brigadier-general, after being in one hundred and thirty-five battles and having five horses shot under him. He was a member of the Constitutional Convention (1875) and of the state senate. After his term as governor expired he became president of the Agricultural and Mechanical College. In 1895 he declined a place on the Railroad Commission. He died in 1898.

30. **James Stephen Hogg**, the first native Texan to become governor, was born in 1851 at Rusk. Left an orphan at the age of twelve, the boy supported himself, attending school when he could and making use of every opportunity to hear public speakers. He published a little paper called the "Longview News," studied law, and was admitted to the bar in 1875 at Quitman. He held the offices of justice of peace, county attorney, district attorney, attorney-general and governor. After retiring to private life he resumed the practice of law. He died in Houston, March, 1906; his remains lay in state in the senate chamber of the Capitol and the great men of Texas came from every section of the state to attend the funeral.

31. **John H. Reagan** was born in Tennessee, October, 1818. When thirteen years old young Reagan had to stop school that he might help support the family. The following incidents were from his own lips: "Although my days were full of toil, I

always found some time to study. While plowing I carried a small dictionary in my hat; at the end of each furrow I stopped long enough to glance at a word or two, which I studied till I reached the other end of the field. My ambition was fired by reading the lives of great men. When sixteen I found a place to work my way through school and finally managed to enter Southwestern University of Tennessee: but my health failed and my money gave out. I determined to go off and earn money to enable me to return to the University and graduate. When about to leave, my college chum came to my boarding house to bid me good-by. As I started off he said: 'We will meet in Congress.' He was the son of a wealthy father; I had nothing but hope and aspirations for the future, but I answered him: 'I will meet you there.' That was in 1838. In 1859 we were both elected to Congress. I reached Washington before he did, and sitting in my room, with the door open, he entered, and his salutation was, 'Well, we have met here.' Judge Reagan reached Texas in 1839, studied law, was admitted to the bar, served in Congress from 1857 to 1861. He was made Postmaster-general of the Confederacy. In 1865 he with President Jefferson Davis was made a prisoner of war by the United States government and was imprisoned for several months. On his release he returned to his farm near Palestine and in 1875 was once more sent to Congress. He continued to represent his district until 1887, when he was elected United States Senator. In 1891 Judge Reagan, at the earnest request of Governor Hogg, resigned his seat in the Senate to accept the chairmanship of the railroad commission of Texas, a position with less salary. This sacrifice of personal pleasure to the call of his state is the highest proof of his lofty patriotism. The last member of the Confederate cabinet, the "Great Commoner," as the Texas people loved to call him, died at his country home March, 1905, and at his request was buried at Palestine among his own people. Every civil and military honor was paid to his memory.

32. **Charles A. Culberson** was born in 1855 at Dadeville, Alabama. He is the eldest son of Hon. David B. Culberson, for many years a leading member of Congress and one of the most eminent jurists in our country. In 1857 the senior Culberson moved to Texas and located at Gilmer, but soon removed to Jefferson. The boy Charles attended the common schools of



Gilmer and Jefferson, graduated at the Virginia Military Institute, and studied law at the University of Virginia, where he won special honors in oratory. After serving as county attorney of Marion County, in 1888 he moved to Dallas. He was attorney-general for four years (1891-1895), governor for two terms, was elected to the United States Senate in 1899 and re-elected in 1905 and in 1911. He wears the laurels of victory won in every contest before the people.

33. **Texans in Spanish-American War.**—Lieut. Marshall, a native Texan, was one of Admiral Dewey's officers on the flagship *Olympia* in the battle of Manila Bay. Col. W. H. Mabry died in Cuba while commanding the First Texas Infantry. Col. J. R. Waties of the First Texas Cavalry was promoted brigadier-general by President McKinley. The following year two Texans, Luther R. Hare and Robert L. Howze, won renown in several engagements in the Philippines, rescued Lieut. Gilmore after a perilous expedition that attracted national attention, and later each was made a brigadier-general of United States Volunteers.

[The author is indebted to Hon. Hampson Gary, of Tyler, for material on the Spanish-American War.]

34. **Joseph D. Sayers** was born (1841) at Grenada, Mississippi. Coming to Texas in 1851, he was educated at the Military Institute, Bastrop. When the Civil War began (1861), young Sayers joined the Confederate Army. In his first battle he showed such courage that Colonel Tom Green wrote of him: "Lieutenant Sayers during the whole day reminded me of a hero in the days of chivalry. He is as cool in a storm of grape-shell as a veteran. I recommend him for promotion." In spite of being twice severely wounded, young Sayers served till the close of the war (1865), coming out a major. Returning to Bastrop, he taught school and then studied law. In 1873 he was elected state senator; in 1879 and 1880 he served as lieutenant-governor; in 1884 he was elected to Congress, where he remained until 1899, serving for twelve years upon the committee on appropriations and part of that time as its chairman. He now lives in Austin.

35. **Mexico's Kindness.**—Let us never forget that the Congress of the Republic of Mexico appropriated from the treasury

\$30,000 for the storm sufferers, while private Mexican citizens also gave liberally.

36. **Elizabeth Ney.**—"An account of art in Texas [to-day] is chiefly an account of our great sculptor, Elizabeth Ney. It is needless to ask by what unexpected beneficence of fortune an artist, who was the glory of the most cultured art center of Europe, was vouchsafed to an obscure young state. God loves Texas: let that suffice to explain so delightful a miracle. The wonderful romance of our history inspired Miss Ney to apply her genius to the production of life-size statues of Austin and Houston, which are now among the most priceless of our possessions."—Mrs. Bride Neil Taylor, in Raines' Year Book. Miss Ney died at her studio in Austin, July, 1907.

37. **S. W. T. Lanham** was born in South Carolina, July 4, 1846. He had a passion for good reading and when he was fourteen knew by heart Pollock's "Course of Time."

When he was fifteen he had his first and only great teacher. Governor Lanham never tires of paying tribute to the influence and inspiration of this man, under whose tutelage he learned as much Latin, Greek, and English in one year as most boys learn in four. While still a mere boy he entered the Confederate army and did gallant service till the end of the war. Returning home, he married, and in 1866 started overland with his pretty young bride to Texas; his property consisted of two mules, a wagon, and \$200; the trip took three months.

The young couple chose Weatherford as a permanent home and taught school. In 1869 Mr. Lanham was admitted to the bar. He became district attorney; he served as congressman for sixteen years, doing valuable work on the judiciary committee. After his terms as governor expired he retired to his home in Weatherford, where he died in 1908.

38. **Alexander W. Terrell** was born in Virginia, November 3, 1827. His parents moving to Texas in 1832, he was educated at the University of Missouri and was admitted to the Missouri bar in 1849. In 1852 he settled in Austin, Texas. As judge, orator, legislator, diplomat, and man of letters, he has served his state nobly. It is said that he has given to Texas many of the best laws on her statute books.

From 1893 to 1897, on the appointment of President Grover

Cleveland, Judge Terrell served as United States Minister to Turkey.

39. **Joseph W. Bailey** was born in Copiah County, Mississippi, October 6, 1863. He was admitted to the bar in 1883 and came to Texas in 1885, locating at Gainesville. He was elected to Congress in 1890 and was reelected four times; in the Fifty-fifth Congress he was the Democratic nominee for speaker of the House. He was elected United States Senator in 1901 and reelected in 1907. He is considered one of the most brilliant and forceful men in the South.

40. **Thomas Mitchell Campbell**, the second native Texan to rise to the high office of governor, was born April 22, 1856, at Rusk. He spent his boyhood in going to school and in working on his father's farm. In 1873 he entered Trinity University where his record was excellent. Returning home in June—the family having moved to Longview in 1870—he found that his father had met with serious losses; without a word the lad gave up his cherished plan of graduating at Trinity and went to work at a shingle mill turning over all his earnings to his step-mother whom he idolized. Governor Campbell never fails to tell young people that all his life he has regretted not being able to finish his college course.

By hard study at night, he secured a law license in 1878. In 1891 he became receiver of the International and Great Northern Railroad and moved to Palestine; two years later he was made general manager of the road, but resigned in 1897 and resumed the practice of law. He is the only Texan who never held public office until chosen governor. From his earliest recollection, he had two fixed ambitions—to become a successful lawyer and to be true to his friends. As a little child whenever he was missed from home his step-mother would say: "Go to the court-house, you'll find Tom there listening to the lawyers speak."

41. **Oscar Branch Colquitt** was born at Camilla, Georgia, December 16, 1861. His ancestors were from Virginia, where they fought as bravely in the Revolution as did his father in the Confederate Army. His parents moved to Texas in 1878, and settled on a farm near Daingerfield. This sixteen-year-old lad worked hard on the farm and trudged two miles, morning and evening, to school. Later he decided to attend Daingerfield College. By working in a private family he made his expenses. At the noon

hour on the farm, as he walked to school, and during recess he seldom joined in the amusement of other boys, but buried himself in history, memorizing pages from the Constitution and talking with older people from whom he could learn. His interest in United States history was so keen that he learned the names of every Cabinet officer from the time of President Washington to President Hayes. In all his boyish days the one friend who never misunderstood but always encouraged was his mother. He says: "She was in every sense my Alma Mater." In 1880 he determined to become a journalist. To learn the business thoroughly he made a contract with a small Daingerfield paper to work six months at \$12.50 per month. He went with this paper to Greenville. In 1884 he became editor of the *Pittsburg Gazette*. Two years later he moved to Terrell and bought the *Terrell Star*. Full of energy and ambition, he studied law and was admitted to the Bar (1900).

From 1895 to 1899 he was state senator. Governor Culberson appointed him state revenue agent in 1898, and Governor Sayers asked him to serve on the Tax Commission (1899). When Judge Reagan retired from the Railroad Commission in 1902 Mr. Colquitt was elected to succeed him and was re-elected in 1908. In 1911, Mr. Colquitt resigned to enter upon his high duties as Governor of Texas. The Governor's favorite books are the Bible and Shakespeare. His favorite character in all history is St. Paul. When asked by a Texas boy, "How can I succeed in life?" the governor replied: "Work hard and tell the truth."

# APPENDIX

## PUBLIC EDUCATION.

**PUBLIC EDUCATION UNDER MEXICAN RULE.**—That our ancestors fully realized the importance of public education is shown by the record of their deeds. The Constitution adopted by Mexico in 1824 and ardently supported by the Texans stated that it was the solemn duty of the government to educate the masses. When Texas and Coahuila were made a State of the Mexican Republic their Constitution declared public schools necessary to the life of a free republic. In spite of these statements, nothing was done to establish a system of schools. So little progress was made in educational matters that in 1832 a convention of Texans assembled at San Felipe de Austin petitioned the Governor of Coahuila and Texas to take steps toward carrying out the provisions of the Constitution. In answer to this the State Legislature decreed that a portion of land should be set aside for the support of public schools, and several school laws were enacted; but nothing practical was accomplished. When Texas declared her independence she named as one of her most serious grievances that Mexico had utterly failed to establish public schools.

**LAWS PASSED UNDER THE REPUBLIC.**—Amid the numerous duties that devolved upon the leaders of the young Republic, they did not fail to find time to consider the matter of public education. In 1839 the Texan Congress set aside three leagues (13,284 acres) of public land for every county; the proceeds of this land were to be a permanent school fund for the county. In 1840 still another league was given to each county. President Lamar used every opportunity to urge upon Congress the necessity not only of endowing the schools of the future, but of organizing a system for the present. The populace was so scattered and public money so scarce that nothing practical was accomplished. We can but admire the wisdom of the men who were unselfish enough to plan for the children of future generations benefits that their own children could not enjoy.

**EDUCATION UNDER THE STATE.**—In 1845, when Texas entered the Union, her State Constitution set aside one tenth of the revenue derived from taxation for a perpetual school fund. Governor Pease, who was an ardent champion of the cause of public education, advised the Legislature to neglect anything rather than the schools. In 1850 Texas had 349 public schools,

360 teachers, and 7964 pupils. In 1854 a better system was introduced and two million dollars in United States bonds were donated to the school fund. In 1860 the school revenue was \$80,984. No one among the progressive citizens was satisfied with the public schools, and many were discouraged because while there had been so much legislation there had been so few results. One great trouble that hampered the public schools of the South before the Civil War was the fact that they were considered the special property of the poor and needy; parents who were able were expected to pay for the education of their children. So long as this feeling existed the free schools failed to become the active, living force that they now are.

**AFTER THE CIVIL WAR.**—The years of the Civil War swept away even the little that had been accomplished in the way of public education; the schools were closed and the funds wasted. In 1866 the office of State Superintendent was created and a State Board of Education was established; this Board consisted of the Governor, the Comptroller, and the State Superintendent. All sections of land alternating with those granted to the railroads and other corporations were donated to the school fund. The years 1875 and 1876 mark the beginning of a new era in the public schools of Texas; then it was that the towns and cities began to levy special school taxes, to erect school buildings that were models of beauty and convenience, to take charge of their own schools, to employ skilled teachers, and to place over these teachers professional supervisors who were held responsible for the progress of the schools. Brenham and Denison deserve special praise for being the pioneers in this movement. While in 1876 there were only two towns that had taken control of their schools, there were, in 1906, three hundred and eighty nine independent districts, and two thousand two hundred and seventeen common school districts levying local school taxes; in a few cases whole counties district by district have followed this wise course and raised their schools to a high standard of excellence. The Peabody Fund has been an important influence in bringing about this change; with its aid the Sam Houston State Normal was established, and by its generous assistance many of the towns were encouraged to assume control of their schools.

**STATE SUPERINTENDENTS.**—The position of State Superintendent was filled by Hon. J. C. De Gress from 1870 to 1875. Then followed Hon. O. N. Hollingsworth, from 1875 to 1876. As the Constitution adopted in 1876 did not provide for the office of State Superintendent of Public Instruction, Mr. Hollingsworth was made Secretary of the State Board of Education, and served until 1883. Hon. B. M. Baker succeeded him. In 1884 a new school law went into effect, and this law recreated the position of State Superintendent. Mr. Baker filled



the office from 1884 to 1887, when he declined to be a candidate for re-election. Hon. O. H. Cooper served from 1887 to 1890, when he resigned. Hon. H. C. Pritchett held the office from 1890 to 1891, when he also resigned. Next came Hon. James M. Carlisle, Hon. J. S. Kendall, Hon. Arthur Lefevre, Hon. R. B. Cousins, and Hon. F. M. Bralley.

**PRESENT CONDITION OF THE SCHOOL FUND.**—Our people are accustomed to boast of the magnificent school fund of Texas and to declare that in years to come we will have untold wealth to spend for public education. But let us not longer so delude ourselves; let us rather set before us stern facts, and confront the difficulties that these facts reveal. The land that was given to each county has been variously disposed of: some counties rent the land, others have sold their lands and invested the money in interest-bearing bonds. The sections of the public domain that (in 1866) were reserved for the schools have not brought in the revenue that was expected: parties who have leased large tracts have failed to pay the rent; purchasers that bought immense quantities have defaulted in the payment. The 991,409 children within scholastic age receive from the State (1912) \$6.80 each. The Constitution requires that public schools be sustained six months in the year, but under the present conditions that is absolutely impossible except in the districts where a local school tax is levied. Ninetenths of the children of the State are educated in country schools that are entirely dependent on the State and county for support; therefore it is the duty of every citizen to do all in his power, by ballot or by influence, to develop and strengthen the rural schools.

### DAUGHTERS OF THE REPUBLIC OF TEXAS.

In 1892 a number of patriotic women, wives and descendants of the early heroes of Texas, organized themselves as the Daughters of the Republic of Texas. The objects of the order are:

1. To perpetuate the memory and spirit of the men and women who achieved and maintained the independence of Texas.

2. To encourage historical research into the earliest records of Texas, especially those relating to the revolution of 1835 and the events which followed; to foster the preservation of documents and relics; and to encourage the publication of records of individual services of soldiers and patriots of the Republic.

3. To promote the celebration of March 2d (Independence Day) and April 21st (San Jacinto Day); to secure and hallow historic spots by erecting monuments thereon.

The Sidney Sherman Chapter of Galveston has removed the bodies of President David Burnet and General Sherman from Magnolia Grove to Lake View Cemetery and erected over their graves a beautiful marble obelisk. The San Jacinto Chapter

of Houston has for its special object the preservation and the adorning of the San Jacinto Battle-ground which is now the property of the State, thanks to the efforts of the Daughters. The William B. Travis Chapter of Austin during many years has tenderly cared for the invalid descendants of honored Texas heroes. The Sam Houston Chapter of Lampasas wishes to build a monument in memory of President Houston. The De Zavala Chapter is planning to mark by memorial tablets all historical buildings and places. That these devoted women will accomplish their purposes no one who knows the "beauty and strength of woman's devotion" will doubt. In this day, when we hear so much of woman's sphere, let us not forget that it is eminently her work to teach her sons and her daughters to be patriots. Let the women of Texas but do their duty as lovers of their country, and with one accord the youth of the land shall cry, "Texas is my State, the Union is my country, and when I seek not their honor, may my own fall blasted and ruined."

## LIST OF ALL THE PLACES THAT HAVE BEEN THE SEAT OF GOVERNMENT OF TEXAS.

1. SAN FELIPE DE AUSTIN was the capital of Austin's colony, and here were held the public meetings of general character in early times; the archives of Austin's colony were kept here; the Conventions of 1832 and 1833 assembled here; the Consultation and Provisional Government held their sessions here.

2. WASHINGTON. The Convention that declared Texas independent and created the first government and Constitution of the Republic met March 1, 1836, at Washington.

3. HARRISBURG. President Burnet and his Cabinet remained a few days at Washington after the adjournment of the Convention, and then moved the seat of government to Harrisburg.

4. GALVESTON. When Santa Anna approached Harrisburg the President and his Cabinet went to Galveston, which was then an uninhabited island except for a detachment of troops stationed there; the officers remained in Galveston until after the battle of San Jacinto.

5. VELASCO AND QUINTANA. President Burnet next established himself at the mouth of the Brazos, at Quintana and Velasco. It was at the latter place that the treaty was made with Santa Anna.

6. COLUMBIA. The first Congress of the Republic convened at Columbia, to which place the seat of government was transferred in October, 1836. Here Houston was inaugurated President, the first laws of the Republic were enacted, and the government of Texas was organized. Congress adjourned to meet the following May in Houston.

7. HOUSTON remained the capital until 1839, when Congress decided to locate the government at a city that should bear the name of the great Austin.

8. AUSTIN. The site of the present city of Austin was chosen and the capital located there.

9. HOUSTON. In 1842 President Houston, thinking Austin in danger from an attack by the Mexicans, called Congress to meet at Houston.

10. WASHINGTON. Some time later President Houston removed the headquarters of departments to Washington, where by proclamation he convened the next session of Congress. Here he delivered his valedictory, and here President Anson Jones was inaugurated.

11. AUSTIN. When the United States proposed terms for annexation and the Texas Congress provided for a Convention to consider them President Jones convened the Convention at Austin, July 4, 1845. On February 19, 1846, from the gallery of the old capitol at Austin, President Jones delivered his valedictory and Governor Henderson was inaugurated. The seat of government has not been changed since that date.

## UNITED STATES SENATORS FROM TEXAS.

SAM HOUSTON, March 30, 1846—March 3, 1859.

THOMAS J. RUSK, March 26, 1846—July 29, 1857.

J. PINCKNEY HENDERSON, March 1, 1858—June 4, 1858.

MATTHIAS WARD, December 6, 1858—January 4, 1860.

JOHN HEMPHILL, December 5, 1859—March 3, 1861.

LOUIS T. WIGFALL, January 4, 1860—March 3, 1861.

J. W. FLANAGAN, March 31, 1870—March 3, 1875.

MORGAN C. HAMILTON, March 31, 1870—March 3, 1877.

SAM. BELL MAXEY, December 6, 1875—March 3, 1887.

RICHARD COKE, October 15, 1877—March 3, 1895.

JOHN H. REAGAN, December 5, 1877—March 2, 1891.

HORACE CHILTON (appointed to fill vacancy till Legislature met), April, 1891—March 30, 1892.

R. Q. MILLS, March 30, 1892—March 3, 1899.

HORACE CHILTON, December 2, 1895—March 4, 1901.

C. A. CULBERSON, December 4, 1899—

JOSEPH W. BAILEY, December 2, 1901—



# CONSTITUTION

## OF THE

# STATE OF TEXAS.

ADOPTED BY THE CONSTITUTIONAL CONVENTION CONVENED AT  
AUSTIN, SEPTEMBER 6, 1875, AND RATIFIED BY THE PEOPLE,  
FEBRUARY 15, 1876.

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### PREAMBLE.

Humbly invoking the blessings of Almighty God, the people of the State of Texas do ordain and establish this Constitution.

### ARTICLE I.

#### BILL OF RIGHTS.

That the general great, and essential principles of liberty and free government may be recognized and established, we declare:

SECTION 1. Texas is a free and independent State, subject only to the Constitution of the United States; and the maintenance of our free institutions and the perpetuity of the Union depend upon the preservation of the right of local self-government unimpaired to all the States.

SEC. 2. All political power is inherent in the people, and all free governments are founded on their authority, and instituted for their benefit. The faith of the people of Texas stands pledged to the preservation of a republican form of government, and, subject to this limitation only, they have at all times the inalienable right to alter, reform, or abolish their government in such manner as they may think expedient.

SEC. 3. All free men, when they form a social compact, have equal rights, and no man, or set of men, is entitled to exclusive separate public emoluments, or privileges, but in consideration of public services.

1. When was this Constitution adopted?

SEC. I.—1. To what is Texas subject? 2. On what does the Union depend?

SEC. II.—1. What right have the people at all times? 2. What is said of a republican form of government?

SEC. III.—1. Give Section 3 in your own words.

SEC. 4. No religious test shall ever be required as a qualification of any office, or public trust, in this State; nor shall any one be excluded from holding office on account of his religious sentiments provided he acknowledge the existence of a Supreme Being.

SEC. 5. No person shall be disqualified to give evidence in any of the courts of this State on account of his religious opinions, or for want of any religious belief, but all oaths or affirmations shall be administered in the mode most binding upon the conscience, and shall be taken subject to the pains and penalties of perjury.

SEC. 6. All men have a natural and indefeasible right to worship Almighty God according to the dictates of their own consciences. No man shall be compelled to attend, erect, or support any place of worship, or to maintain any ministry, against his consent. No human authority ought, in any case whatever, to control or interfere with the rights of conscience in matters of religion, and no preference shall ever be given by law to any religious society or mode of worship. But it shall be the duty of the Legislature to pass such laws as may be necessary to protect equally every religious denomination in the peaceable enjoyment of its own mode of public worship.

SEC. 7. No money shall be appropriated or drawn from the treasury for the benefit of any sect, or religious society, theological or religious seminary; nor shall property belonging to the State be appropriated for any such purposes.

SEC. 8. Every person shall be at liberty to speak, write, or publish his opinions on any subject, being responsible for the abuse of that privilege; and no law shall ever be passed curtailing the liberty of speech or of the press. In prosecutions for the publication of papers investigating the conduct of officers or men in public capacity, or when the matter published is proper for public information, the truth thereof may be given in evidence. And in all indictments for libels the jury shall have the right to determine the law and the facts, under the direction of the court, as in other cases.

SEC. 9. The people shall be secure, in their persons, houses, papers and possessions, from all unreasonable seizures or searches, and no warrant to search any place, or to seize any person or thing, shall issue without describing them as near

SEC. IV.—1. What is said of religious tests? 2. Can an atheist hold office in Texas?

SEC. V.—1. Explain the meaning of Section 5. 2. Give all the different modes you know of administering oaths.

SEC. VI.—1. What natural right have all men? 2. What should no man be compelled to do? 3. What is the duty of the Legislature regarding all religious denominations?

SEC. VII.—1. What financial aid may religious schools receive from the State?

SEC. VIII.—1. What is said of liberty of speech? 2. Is this privilege ever abused? 3. How may the person slandered obtain justice?

SEC. IX.—1. What three things must be done before a search-warrant can be issued?



as may be, nor without probable cause, supported by oath or affirmation.

SEC. 10. In all criminal prosecutions, the accused shall have a speedy public trial by an impartial jury. He shall have the right to demand the nature and cause of the accusation against him, and to have a copy thereof. He shall not be compelled to give evidence against himself. He shall have the right of being heard by himself or counsel, or both; shall be confronted with the witnesses against him, and shall have compulsory process for obtaining witnesses in his favor. And no person shall be held to answer for a criminal offense, unless on indictment of a Grand Jury, except in cases in which the punishment is by fine or imprisonment otherwise than in the penitentiary, in cases of impeachment, and in cases arising in the army or navy, or in the militia, when in actual service in time of war or public danger.

SEC. 11. All prisoners shall be bailable by sufficient sureties, unless for capital offenses, when the proof is evident; but this provision shall not be so construed as to prevent bail after indictment found, upon examination of the evidence in such manner as may be prescribed by law.

SEC. 12. The writ of *habeas corpus* is a writ of right, and shall never be suspended. The Legislature shall enact laws to render the remedy speedy and effectual.

SEC. 13. Excessive bail shall not be required, nor excessive fines imposed, nor cruel or unusual punishment inflicted. All courts shall be open, and every person, for an injury done him in his lands, goods, person, or reputation, shall have remedy by due course of law.

SEC. 14. No person, for the same offense, shall be twice put in jeopardy of life or liberty; nor shall a person be again put upon trial for the same offense after a verdict of not guilty in a court of competent jurisdiction.

SEC. 15. The right of trial by jury shall remain inviolate. The Legislature shall pass such laws as may be needed to regulate the same, and to maintain its purity and efficiency.

SEC. 16. No bill of attainder, ex post facto law, retroactive law, or any law impairing the obligation of contracts, shall be made.

SEC. X.—1. What is meant by an "impartial jury"? 2. Name five rights of every one accused of crime. 3. When is an indictment of a Grand Jury unnecessary? When necessary?

SEC. XI.—1. When is bail refused? 2. Show what is meant by giving bail. Illustrate by example.

SEC. XII.—1. What is a writ of *habeas corpus*? 2. Did any Governor of Texas ever suspend this right?

SEC. XIII.—1. What is said of excessive bail? 2. Why should all courts be open? 3. Explain "due course of law."

SEC. XIV.—1. Give Section 14 in your own words.

SEC. XV.—1. Give Section 15 in your own words.

SEC. XVI.—1. What is a "bill of attainder"? 2. An "*ex post facto* law"? 3. A "retroactive law"?

SEC. 17. No person's property shall be taken, damaged, or destroyed for or applied to public use without adequate compensation being made, unless by the consent of such person; and, when taken, except for the use of the State, such compensation shall be first made, or secured by a deposit of money; and no irrevocable or uncontrollable grant of special privileges or immunities shall be made; but all privileges and franchises granted by the Legislature, or created under its authority, shall be subject to the control thereof.

SEC. 18. No person shall ever be imprisoned for debt.

SEC. 19. No citizen of this State shall be deprived of life, liberty, property, privileges, or immunities, or in any manner disfranchised, except by the due course of the law of the land.

SEC. 20. No citizen shall be outlawed; nor shall any person be transported out of the State for any offense committed within the same.

SEC. 21. No conviction shall work corruption of blood, or forfeiture of estate; and the estates of those who destroy their own lives shall descend or vest as in case of natural death.

SEC. 22. Treason against the State shall consist only in levying war against it, or adhering to its enemies, giving them aid and comfort; and no person shall be convicted of treason except on the testimony of two witnesses to the same overt act, or on confession in open court.

SEC. 23. Every citizen shall have the right to keep and bear arms in the lawful defense of himself or the State; but the Legislature shall have power by law to regulate the wearing of arms, with a view to prevent crime.

SEC. 24. The military shall at all times be subordinate to the civil authority.

SEC. 25. No soldier shall, in time of peace, be quartered in the house of any citizen without the consent of the owner, nor in time of war, but in a manner prescribed by law.

SEC. 26. Perpetuities and monopolies are contrary to the genius of a free government, and shall never be allowed; nor

SEC. XVII.—1. What is said of private property? 2. Is this law observed in times of war? 3. What grants are forbidden?

SEC. XVIII.—1. Give Section 18. 2. What English novelist wrote a book showing the evils of imprisonment for debt?

SEC. XIX.—1. Explain Section 19.

SEC. XX.—1. What is the meaning of "outlawed"? 2. Give reason for second clause in the section.

SEC. XXI.—1. Explain "corruption of blood" and "**forfeiture of estate.**" 2. What was the old English law on this point? 3. What is said of the property of suicides?

SEC. XXII.—1. In what does treason consist? 2. What is necessary to convict a person of treason?

SEC. XXIII.—1. Give Section 23 in your own words.

SEC. XXIV.—1. During whose administrations was the reverse of this section true?

SEC. XXV.—1. Can your father be *forced* to-morrow to receive a soldier as his guest?

SEC. XXVI.—1. Name four things prohibited in this section. 2. Explain each.

shall the law of primogeniture or entailments ever be in force in this State.

SEC. 27. The citizens shall have the right, in a peaceable manner, to assemble together for their common good, and apply to those invested with the powers of government for redress of grievances or other purposes, by petition, address, or remonstrance.

SEC. 28. No power of suspending laws in this State shall be exercised except by the Legislature.

SEC. 29. To guard against transgressions of the high powers herein delegated, we declare that everything in this "Bill of Rights" is excepted out of the general powers of government, and shall forever remain inviolate, and all laws contrary thereto, or to the following provisions, shall be void.

## ARTICLE II.

### THE POWERS OF GOVERNMENT.

SECTION I. The powers of the government of the State of Texas shall be divided into three distinct departments, each of which shall be confided to a separate body of magistracy, to wit: Those which are legislative to one, those which are executive to another, and those which are judicial to another; and no person, or collection of persons being of one of these departments, shall exercise any power properly attached to either of the others, except in the instances herein expressly permitted.

## ARTICLE III.

### LEGISLATIVE DEPARTMENT.

SECTION I. The legislative power of this State shall be vested in a Senate and House of Representatives, which together shall be styled "The Legislature of the State of Texas."

SEC. 2. The Senate shall consist of thirty-one members, and shall never be increased above this number. The House of Representatives shall consist of ninety-three members until the first apportionment after the adoption of this Constitution, when, or at any apportionment thereafter, the number of Representatives may be increased by the Legislature, upon the ratio of not more than one Representative for every fifteen thousand inhabitants; *provided*, the number of Representatives shall never exceed one hundred and fifty.

SEC. XXVII.—1. What rights are here granted the citizens?

SEC. XXVIII.—1. Who only may suspend laws?

SEC. XXIX.—1. Explain this section.

SEC. I.—1. Name the three departments of the government of Texas.

SEC. I.—1. In what is the legislative power invested? 2. What is meant by the legislative power?

SEC. II.—1. How many Senators are there? 2. What is the limit of the number of Representatives? 3. Number now?

SEC. 3. The Senators shall be chosen by the qualified electors for the term of four years; but a new Senate shall be chosen after every apportionment, and the Senators elected after each apportionment shall be divided by lot into two classes. The seats of the Senators of the first class shall be vacated at the expiration of the first two years, and those of the second class at the expiration of four years, so that one half of the Senators shall be chosen biennially thereafter.

SEC. 4. The members of the House of Representatives shall be chosen by the qualified electors, and their term of office shall be two years from the day of their election.

SEC. 5. The Legislature shall meet every two years, at such time as may be provided by law, and at other times, when convened by the Governor.

SEC. 6. No person shall be a Senator, unless he be a citizen of the United States, and at the time of his election a qualified elector of this State, and shall have been a resident of this State five years next preceding his election, and the last year thereof a resident of the district for which he shall be chosen, and shall have attained the age of twenty-six years.

SEC. 7. No person shall be a Representative, unless he be a citizen of the United States, and at the time of his election a qualified elector of this State, and shall have been a resident of this State two years next preceding his election, the last year thereof a resident of the district for which he shall be chosen, and shall have attained the age of twenty-one years.

SEC. 8. Each House shall be the judge of the qualifications and election of its own members; but contested elections shall be determined in such manner as shall be provided by law.

SEC. 9. The Senate shall, at the beginning and close of each session, and at such other times as may be necessary, elect one of its members President *pro tempore*, who shall perform the duties of the Lieutenant-governor in any case of absence or disability of that officer, and whenever the said office of Lieutenant-governor shall be vacant. The House of Representatives shall, when it first assembles, organize temporarily, and thereupon proceed to the election of a Speaker from its own members; and each House shall choose its other officers.

SEC. 10. Two thirds of each House shall constitute a quorum to do business, but a smaller number may adjourn from day to

SEC. III.—1. How long is a Senator's term? 2. Explain the last sentence in the section.

SEC. IV.—1. How long does a Representative serve?

SEC. V.—1. How often must the Legislature meet? 2. What power has the Governor?

SEC. VI.—1. Give four qualifications of a Senator.

SEC. VII.—1. Give four qualifications of a Representative.

SEC. VIII.—1. State this section in your own words.

SEC. IX.—1. Why is it necessary to have a President *pro tempore* of the Senate? 2. Who is now the Speaker of the House, or who was the last one?

SEC. X.—1. What part of each House is required for a quorum? 2. How may members be forced to attend?

day, and compel the attendance of absent members, in such manner and under such penalties as each House may provide.

SEC. 11. Each House may determine the rules of its own proceedings, punish members for disorderly conduct, and, with the consent of two thirds, expel a member, but not a second time for the same offense.

SEC. 12. Each House shall keep a journal of its proceedings, and publish the same; and the yeas and nays of the members of either House on any question shall, at the desire of any three members present, be entered on the journals.

SEC. 13. When vacancies occur in either House, the Governor, or the person exercising the power of the Governor, shall issue writs of election to fill such vacancies; and should the Governor fail to issue a writ of election to fill any such vacancy within twenty days after it occurs, the returning officer of the district in which such vacancy may have happened shall be authorized to order an election for that purpose.

SEC. 14. Senators and Representatives shall, except in cases of treason, felony, or breach of the peace, be privileged from arrest during the session of the Legislature, and in going to and returning from the same, allowing one day for every twenty miles such member may reside from the place at which the Legislature is convened.

SEC. 15. Each House may punish, by imprisonment, during its sessions, any person not a member, for disrespectful or disorderly conduct in its presence, or for obstructing any of its proceedings; *provided*, such imprisonment shall not, at any one time, exceed forty-eight hours.

SEC. 16. The sessions of each House shall be open, except the Senate, when in executive session.

SEC. 17. Neither House shall, without the consent of the other, adjourn for more than three days, nor to any other place than that where the Legislature may be sitting.

SEC. 18. No Senator or Representative shall, during the term for which he may be elected, be eligible to any civil office of profit under this State which shall have been created or the emoluments of which may have been increased during such term; no member of either House shall, during the term for which he is elected, be eligible to any office or place, the appointment to which may be made, in whole or in part, by either branch of the Legislature; and no member of either House shall vote for any other member for any office whatever, which

SEC. XI.—1. Give three rights accorded to each House.

SEC. XII.—1. Explain what is meant by "yeas" and "nays." 2. Give the benefits arising from this section.

SEC. XIII.—1. How are vacancies in the Legislature filled?

SEC. XIV.—1. For what crimes may a legislator be arrested during the session of the Legislature? 2. Give reason for this section.

SEC. XV.—1. Give the section in your own words.

SEC. XVI.—1. What is meant by "executive session"?

SEC. XVII.—1. Give the section.

SEC. XVIII.—1. Name four privileges forbidden a legislator. 2. What are "emoluments"? 3. Show the necessity for this section.



may be filled by a vote of the Legislature, except in such cases as are in this Constitution provided. Nor shall any member of the Legislature be interested, either directly or indirectly, in any contract with the State, or any county thereof, authorized by any law passed during the term for which he shall have been elected.

SEC. 19. No judge of any court, Secretary of State, Attorney-general, clerk of any court of record, or any person holding a lucrative office under the United States, or this State, or any foreign government, shall, during the term for which he is elected or appointed, be eligible to the Legislature.

SEC. 20. No person who at any time may have been a collector of taxes, or who may have been otherwise intrusted with public money, shall be eligible to the Legislature, or to any office of profit or trust under the State government, until he shall have obtained a discharge for the amount of such collections, or for all public moneys with which he may have been intrusted.

SEC. 21. No member shall be questioned in any other place for words spoken in debate in either House.

SEC. 22. A member who has a personal or private interest in any measure or bill, proposed, or pending before the Legislature, shall disclose the fact to the House of which he is a member, and shall not vote thereon.

SEC. 23. If any Senator or Representative remove his residence from the district or county for which he was elected, his office shall thereby become vacant, and the vacancy shall be filled as provided in Section 13 of this Article.

SEC. 24. The members of the Legislature shall receive from the public treasury such compensation for their services as may, from time to time, be provided by law, not exceeding five dollars per day for the first sixty days of each session; and after that not exceeding two dollars per day for the remainder of the session; except the first session held under this Constitution, when they may receive not exceeding five dollars per day for the first ninety days, and after that not exceeding two dollars per day for the remainder of the session. In addition to the per diem the members of each House shall be entitled to mileage in going to and returning from the seat of government, which mileage shall not exceed five dollars for every twenty-five miles, the distance to be computed by the nearest and most direct route of travel by land, regardless of railways or water routes; and the Comptroller of the State shall prepare and preserve a table of distances to each county seat now or hereafter

SEC. XIX.—1. Who are ineligible to the Legislature?

SEC. XX.—1. Can a tax collector become a legislator?

SEC. XXI.—1. Give reason for this section.

SEC. XXII.—1. Give a practical example illustrating Section 22.

SEC. XXIII.—1. Is this a wise law? 2. Why?

SEC. XXIV.—1. What salary do the legislators receive? 2. What is meant by "mileage"? 3. Under what circumstances does a member receive no mileage?



to be established, and by such table the mileage of each member shall be paid; but no member shall be entitled to mileage for any extra session that may be called within one day after the adjournment of a regular or called session.

SEC. 25. The State shall be divided into senatorial districts of contiguous territory, according to the number of qualified electors, as nearly as may be, and each district shall be entitled to elect one Senator, and no single county shall be entitled to more than one Senator.

SEC. 26. The members of the House of Representatives shall be apportioned among the several counties, according to the number of population in each, as nearly as may be, on a ratio obtained by dividing the population of the State, as ascertained by the most recent United States census, by the number of members of which the House is composed; *provided*, that whenever a single county has sufficient population to be entitled to a Representative, such county shall be formed into a separate representative district, and when two or more counties are required to make up the ratio of representation, such counties shall be contiguous to each other; and when any one county has more than sufficient population to be entitled to one or more Representatives, such Representative or Representatives shall be apportioned to such county, and for any surplus of population it may be joined in a representative district with any other contiguous county or counties.

SEC. 27. Elections for Senators and Representatives shall be general throughout the State, and shall be regulated by law.

SEC. 28. The Legislature shall, at its first session after the publication of each United States decennial census, apportion the State into senatorial and representative districts, agreeably to the provisions of Sections 25 and 26 of this Article; and until the next decennial census, when the first apportionment shall be made by the Legislature, the State shall be and it is hereby divided into senatorial and representative districts, as provided by an ordinance of the Convention on that subject.

PROCEEDINGS.

SEC. 29. The enacting clause of all laws shall be: "Be it enacted by the Legislature of the State of Texas."

SEC. 30. No law shall be passed except by bill, and no bill shall be so amended in its passage through either House as to change its original purpose.

SEC. XXV.—1. What is said of senatorial districts? 2. Which counties have two Senators?

SEC. XXVI.—1. Give the plan for apportioning the Representatives. 2. When does one county form an entire representative district? 3. Could Brazos and Tom Green counties be formed into one district? Why?

SEC. XXVII.—1. Give the section.

SEC. XXVIII.—1. How often does the Legislature apportion the State into districts? 2. When will the next apportionment be made?

SEC. XXIX.—1. What is meant by "the enacting clause"?

SEC. XXX.—1. Explain Section 30.

SEC. 31. Bills may originate in either House, and when passed by such House, may be amended, altered, or rejected by the other.

SEC. 32. No bill shall have the force of law until it has been read on three several days in each House, and free discussion allowed thereon; but in cases of imperative public necessity (which necessity shall be stated in a preamble, or in the body of the bill), four fifths of the House in which the bill may be pending may suspend this rule, the yeas and nays being taken on the question of suspension, and entered upon the journals.

SEC. 33. All bills for raising revenue shall originate in the House of Representatives, but the Senate may amend or reject them as other bills.

SEC. 34. After a bill has been considered and defeated by either House of the Legislature, no bill containing the same substance shall be passed into a law during the same session. After a resolution has been acted on and defeated, no resolution containing the same substance shall be considered at the same session.

SEC. 35. No bill (except general appropriation bills, which may embrace the various subjects and accounts for and on account of which moneys are appropriated) shall contain more than one subject, which shall be expressed in its title. But if any subject shall be embraced in an act which shall not be expressed in the title, such act shall be void only as to so much thereof as shall not be so expressed.

SEC. 36. No law shall be revived or amended by reference to its title; but in such case the act revived or the section or sections amended shall be re-enacted and published at length.

SEC. 37. No bill shall be considered, unless it has been first referred to a committee and reported thereon; and no bill shall be passed which has not been presented and referred to and reported from a committee at least three days before the final adjournment of the Legislature.

SEC. 38. The presiding officer of each House shall, in the presence of the House over which he presides, sign all bills and joint resolutions passed by the Legislature, after their titles have been publicly read before signing; and the fact of signing shall be entered on the journals.

SEC. 39. No law passed by the Legislature, except the gen-

SEC. XXXI.—1. What is said of "bills"?

SEC. XXXII.—1. When only may a bill have the force of law? 2. What exception is made?

SEC. XXXIII.—1. What bills must originate in the House?

SEC. XXXIV.—1. What is said of defeated bills and resolutions?

SEC. XXXV.—1. Explain clearly the first sentence in this section. 2. What is the consequence if this law be violated?

SEC. XXXVI.—1. Explain the section.

SEC. XXXVII.—1. What is necessary before a bill may be considered? 2. Before it may be passed?

SEC. XXXVIII.—1. What is the duty of the presiding officer regarding bills? 2. Why should this be done publicly?

SEC. XXXIX.—1. When will the laws made by the twenty-fourth Legislature go into effect? 2. Is there any exception to this law?

eral appropriation act, shall take effect or go into force until ninety days after the adjournment of the session at which it was enacted, unless in case of an emergency, which emergency must be expressed in a preamble or in the body of the act, the Legislature shall, by a vote of two thirds of all the members elected to each House, otherwise direct; said vote to be taken by yeas and nays, and entered upon the journals.

SEC. 40. When the Legislature shall be convened in special session, there shall be no legislation upon subjects other than those designated in the proclamation of the Governor calling such session, or presented to them by the Governor; and no such session shall be of longer duration than thirty days.

SEC. 41. In all elections by the Senate and House of Representatives, jointly or separately, the vote shall be given *viva voce*, except in the election of their officers.

#### REQUIREMENTS AND LIMITATIONS.

SEC. 42. The Legislature shall pass such laws as may be necessary to carry into effect the provisions of this Constitution.

SEC. 43. The first session of the Legislature under this Constitution shall provide for revising, digesting, and publishing the laws, civil and criminal; and a like revision, digest, and publication may be made every ten years thereafter; *provided*, that in the adoption of and giving effect to any such digest or revision, the Legislature shall not be limited by Sections 35 and 36 of this Article.

SEC. 44. The Legislature shall provide by law for the compensation of all officers, servants, agents, and public contractors, not provided for in this Constitution, but shall not grant extra compensation to any officer, agent, servant, or public contractors, after such public service shall have been performed or contract entered into for the performance of the same; nor grant, by appropriation or otherwise, any amount of money out of the treasury of the State, to any individual, on a claim, real or pretended, when the same shall not have been provided for by pre-existing law; nor employ any one in the name of the State unless authorized by pre-existing law.

SEC. 45. The power to change the venue in civil and criminal cases shall be vested in the courts, to be exercised in such

SEC. XL.—1. Who calls a special session of the Legislature? 2. Upon what subjects may laws be made in a special session? 3. How long may it last?

SEC. XLI.—1. Define "*viva voce*." 2. Give reason for this section.

SEC. XLII.—1. Give the section.

SEC. XLIII.—1. What were the duties of the first Legislature that met after February, 1876?

SEC. XLIV.—1. Name the various items forbidden the Legislature.

SEC. XLV.—1. What is meant by "change of venue"? 2. What bodies have power to make such changes?

manner as shall be provided by law; and the Legislature shall pass laws for that purpose.

SEC. 46. The Legislature shall, at its first session after the adoption of this Constitution, enact effective vagrant laws.

SEC. 47. The Legislature shall pass laws prohibiting the establishment of lotteries and gift enterprises, in this State, as well as the sale of tickets in lotteries, gift enterprises, or other evasions involving the lottery principle, establishing or existing in other States.

SEC. 48. The Legislature shall not have the right to levy taxes or impose burdens upon the people, except to raise revenue sufficient for the economical administration of the government, in which may be included the following purposes:

The payment of all interest upon the bonded debt of the State;

The erection and repairs of public buildings;

The benefit of the sinking fund, which shall not be more than two per centum of the public debt; and for the payment of the present floating debt of the State, including matured bonds for the payment of which the sinking fund is inadequate;

The support of public schools, in which shall be included colleges and universities established by the State; and the maintenance and support of the Agricultural and Mechanical College of Texas;

The payment of the cost of assessing and collecting the revenue; and the payment of all officers, agents, and employees of the State government, and all incidental expenses connected therewith;

The support of the Blind Asylum, the Deaf and Dumb Asylum, and the Insane Asylum, the State Cemetery, and the public grounds of the State;

The enforcement of quarantine regulations on the coast of Texas;

The protection of the frontier.

SEC. 49. No debt shall be created by or on behalf of the State, except to supply casual deficiencies of the revenue, repel invasion, suppress insurrection, defend the State in war, or pay existing debt; and the debt created to supply deficiencies in the revenue shall never exceed in the aggregate at any one time two hundred thousand dollars.

SEC. 50. The Legislature shall have no power to give or to lend, or to authorize the giving or lending, of the credit of the State in aid of, or to any person, association, or corporation, whether municipal or other; or to pledge the credit of the State in any manner whatsoever, for the payment of the liabilities,

SEC. XLVI.—1. What are "vagrant laws"?

SEC. XLVII.—1. Can you sell lottery tickets in Texas? 2. Can you buy lottery tickets in Texas?

SEC. XLVIII.—1. Name the eight purposes for which the Legislature may levy taxes. 2. What is meant by "the bonded debt"? 3. "Sinking fund"? 4. "Floating debt"? 5. "Quarantine regulations"?

SEC. XLIX.—1. When only may a debt be created by Texas? 2. What is the limit?

SEC. L.—1. What has the Legislature no power to do?

present or prospective, of any individual, association of individuals, municipal or other corporation whatsoever.

SEC. 51. The Legislature shall have no power to make any grant, or authorize the making of any grant, of public money to any individual, association of individuals, municipal, or other corporation whatsoever; *provided, however*, the Legislature may grant aid to the establishment and maintenance of a home for indigent and disabled Confederate soldiers or sailors who are or may be bona fide residents of the State of Texas, under such regulations and limitations as may be provided by law; *provided*, that such grant shall not exceed the sum of \$100,000 for any one year; *and provided further*, that the provisions of this section shall not be construed so as to prevent the grant of aid in case of public calamity. [See amendment, page 402.]

SEC. 52. The Legislature shall have no power to authorize any county, city, town, or other political corporation, or subdivision of the State, to lend its credit or to grant public money or thing of value, in aid of or to any individual, association, or corporation whatsoever; or to become a stockholder in such corporation, association, or company.

SEC. 53. The Legislature shall have no power to grant, or to authorize any county or municipal authority to grant, any extra compensation, fee, or allowance to a public officer, agent, servant, or contractor, after service has been rendered, or a contract has been entered into, and performed in whole or in part; nor pay, nor authorize the payment of, any claim created against any county or municipality of the State, under any agreement or contract, made without authority of law.

SEC. 54. The Legislature shall have no power to release or alienate any lien held by the State upon any railroad, or in any wise change the tenor or meaning, or pass any act explanatory thereof; but the same shall be enforced in accordance with the original terms upon which it was acquired.

SEC. 55. The Legislature shall have no power to release or extinguish, or to authorize the releasing or extinguishing, in whole or in part, the indebtedness, liability, or obligation of any corporation or individual to this State, or to any county, or other municipal corporation therein.

SEC. 56. The Legislature shall not, except as otherwise provided in this Constitution, pass any local or special law, authorizing:

The creation, extension, or impairing of liens;

Regulating the affairs of counties, cities, towns, wards, or school districts;

Changing the name of persons or places; changing the venue in civil or criminal cases;

SEC. LI.—1. What right had the Legislature to grant money to the drought sufferers?

SEC. LIII.—1. Explain Section 53. 2. What is meant by "municipal authority"?

SEC. LIV.—1. Explain the meaning of "alienate any lien." 2. Explain the meaning of "change the tenor."



Authorizing the laying out, opening, altering, or maintaining of roads, highways, streets, or alleys;

Relating to ferries and bridges, or incorporating ferry or bridge companies, except for the erection of bridges crossing streams which form boundaries between this and any other State;

Vacating roads, town plats, streets, or alleys;

Relating to cemeteries, graveyards, or public grounds not of the State;

Authorizing the adoption or legitimation of children;

Locating or changing county seats;

Incorporating cities, towns, or villages, or changing their charters;

For the opening and conducting of elections, or fixing or changing the places of voting;

Granting divorces;

Creating offices, or prescribing the powers and duties of officers, in counties, cities, towns, election or school districts;

Changing the law of descent or succession;

Regulating the practice or jurisdiction of, or changing the rules of evidence in any judicial proceeding or inquiry before courts, justices of the peace, sheriffs, commissioners, arbitrators, or other tribunals, or providing or changing methods for the collection of debts, or the enforcing of judgments, or prescribing the effect of judicial sales of real estate;

Regulating the fees, or extending the powers and duties of aldermen, justices of the peace, magistrates, or constables;

Regulating the management of public schools, the building or repairing of school-houses, and the raising of money for such purposes;

Fixing the rate of interest;

Affecting the estates of minors, or persons under disability;

Remitting fines, penalties, and forfeitures, and refunding moneys legally paid into the treasury;

Exempting property from taxation;

Regulating labor, trade, mining, and manufacturing;

Declaring any named person of age;

Extending the time for the assessment or collection of taxes, or otherwise relieving any assessor or collector of taxes from the due performance of his official duties, or his securities from liability;

Giving effect to informal or invalid wills or deeds;

Summoning or impaneling grand or petit juries;

For limitation of civil or criminal actions;

For incorporating railroads or other work of internal improvements;

And in all other cases where a general law can be made applicable, no local or special law shall be enacted; *provided*, that nothing herein contained shall be construed to prohibit the Legislature from passing special laws for the preservation of the game and fish of this State in certain localities.



SEC. 57. No local or special law shall be passed, unless notice of the intention to apply therefor shall have been published in the locality where the matter or thing to be affected may be situated, which notice shall state the substance of the contemplated law, and shall be published at least thirty days prior to the introduction into the Legislature of such bill, and in the manner to be provided by law. The evidence of such notice having been published shall be exhibited in the Legislature before such act shall be passed.

SEC. 58. The Legislature shall hold its sessions at the city of Austin, which is hereby declared to be the Seat of Government.

## ARTICLE IV.

### EXECUTIVE DEPARTMENT.

SECTION 1. The Executive Department of the State shall consist of a Governor, who shall be the chief Executive Officer of the State, a Lieutenant-governor, Secretary of State, Comptroller of Public Accounts, Treasurer, Commissioner of the General Land Office, and Attorney-general.

SEC. 2. All the above officers of the Executive Department (except Secretary of State) shall be elected by the qualified voters of the State at the time and places of election for members of the Legislature.

SEC. 3. The returns of every election for said Executive Officers, until otherwise provided by law, shall be made out, sealed up, and transmitted by the returning officers prescribed by law, to the Seat of Government, directed to the Secretary of State, who shall deliver the same to the Speaker of the House of Representatives, as soon as the Speaker shall be chosen; and the said Speaker shall, during the first week of the session of the Legislature, open and publish them in the presence of both Houses of the Legislature. The person, voted for at said election, having the highest number of votes for each of said offices respectively, and being constitutionally eligible, shall be declared by the Speaker, under sanction of the Legislature, to be elected to said office. But if two or more persons shall have the highest and an equal number of votes for either of said offices, one of them shall be immediately chosen to such office by joint vote of both Houses of the Legislature. Contested elections for either of said offices shall be determined by both Houses of the Legislature in joint session.

SEC. 4. The Governor shall be installed on the first Tuesday

SEC. LVII.—1. Give the requirements for the passage of a local law.

SEC. LVIII.—1. What is Section 58?

SEC. I.—1. Who compose the Executive Department of Texas?

SEC. II.—1. How are these officers chosen? 2. Who now fills each of these offices?

SEC. III.—1. What shall be done with the returns of the elections for Executive Officers? 2. What shall the Speaker do with them? 3. What shall be done when two persons receive an equal number of votes?

SEC. IV.—1. When does the Governor take his seat? 2. How long does he serve? 3. Give three necessary qualifications.

after the organization of the Legislature, or as soon thereafter as practicable, and shall hold his office for the term of two years, or until his successor shall be duly installed. He shall be at least thirty years of age, a citizen of the United States, and shall have resided in this State at least five years immediately preceding his election.

SEC. 5. He shall, at stated times, receive as compensation for his services an annual salary of four thousand dollars, and no more, and shall have the use and occupation of the Governor's mansion, fixtures, and furniture.

SEC. 6. During the time he holds the office of Governor he shall not hold any other office, civil, military, or corporate; nor shall he practice any profession, and receive compensation, reward, fee, or the promise thereof, for the same; nor receive any salary, reward, or compensation, or the promise thereof, from any person or corporation, for any service rendered or performed during the time he is Governor, or to be thereafter rendered or performed.

SEC. 7. He shall be commander-in-chief of the military forces of the State, except when they are called into actual service of the United States. He shall have power to call forth the militia to execute the laws of the State, to suppress insurrections, repel invasions, and protect the frontier from hostile incursions by Indians or other predatory bands.

SEC. 8. The Governor may, on extraordinary occasions, convene the Legislature at the Seat of Government, or at a different place in case that should be in possession of the public enemy, or in case of the prevalence of disease thereat. His proclamation therefor shall state specifically the purpose for which the Legislature is convened.

SEC. 9. The Governor shall, at the commencement of each session of the Legislature, and at the close of his term of office, give to the Legislature information, by message, of the condition of the State; and he shall recommend to the Legislature such measures as he may deem expedient. He shall account to the Legislature for all public moneys received and paid out by him from any funds subject to his order, with vouchers; and shall accompany his message with a statement of the same. And at the commencement of each regular session he shall present estimates of the amount of money required to be raised by taxation for all purposes.

SEC. 10. He shall cause the laws to be faithfully executed; and shall conduct, in person, or in such manner as shall be pre-

SEC. V.—1. State the section.

SEC. VI.—1. What is forbidden the Governor in this section?

SEC. VII.—1. Who is the commander-in-chief of the military forces?  
2. Name five powers of the Governor. 3. Define "militia," "insurrection," "predatory."

SEC. VIII.—1. Could the Governor call a session of the Legislature at Houston? Why?

SEC. IX.—1. Name the duties assigned the Governor in this section.

SEC. X.—1. Give Section 10 in your own words.

scribed by law, all intercourse and business of the State with other States and with the United States.

SEC. 11. In all criminal cases, except treason and impeachment, he shall have power, after conviction, to grant reprieves, commutations of punishment, and pardons; and, under such rules as the Legislature may prescribe, he shall have power to remit fines and forfeitures. With the advice and consent of the Senate, he may grant pardons in cases of treason, and to this end he may respite a sentence therefor, until the close of the succeeding session of the Legislature; *provided*, that in all cases of remissions of fines and forfeitures, or grants of reprieve, commutation of punishment, or pardon, he shall file in the office of the Secretary of State his reasons therefor.

SEC. 12. All vacancies in State or district offices, except members of the Legislature, shall be filled, unless otherwise provided by law, by appointment of the Governor, which appointment, if made during its session, shall be with the advice and consent of two thirds of the Senate present. If made during the recess of the Senate, the said appointee, or some other person to fill such vacancy, shall be nominated to the Senate during the first ten days of its session. If rejected, said office shall immediately become vacant, and the Governor shall, without delay, make further nominations, until a confirmation takes place. But should there be no confirmation during the session of the Senate, the Governor shall not thereafter appoint any person to fill such vacancy who has been rejected by the Senate; but may appoint some other person to fill the vacancy until the next session of the Senate, or until the regular election to said office, should it sooner occur. Appointments to vacancies in offices elective by the people shall only continue until the first general election thereafter.

SEC. 13. During the session of the Legislature the Governor shall reside where its sessions are held, and at all other times at the Seat of Government, except when, by act of Legislature, he may be required or authorized to reside elsewhere.

SEC. 14. Every bill which shall have passed both Houses of the Legislature shall be presented to the Governor for his approval. If he approve he shall sign it; but if he disapprove it, he shall return it, with his objections, to the House in which it originated, which House shall enter the objections at large upon its journal, and proceed to reconsider it. If, after such reconsideration, two thirds of the members present agree to pass the bill, it shall be sent, with the objections, to the other

SEC. XI.—1. In what cases has the Governor no pardoning power? 2. Define "impeachment," "reprieves," "forfeitures." 3. How may one convicted of treason be pardoned?

SEC. XII.—1. How are vacancies in State and district offices filled?

SEC. XIII.—1. Where must the Governor live?

SEC. XIV.—1. State clearly three ways in which a bill may become a law. 2. Explain "enter at large upon its journal." 3. What is said of appropriation bills? 4. What if such a bill be passed only two days before the Legislature adjourns?

House, by which likewise it shall be reconsidered; and if approved by two thirds of the members of that House, it shall become a law; but in such cases the votes of both Houses shall be determined by yeas and nays, and the names of the members voting for and against the bill shall be entered on the journal of each House respectively. If any bill shall not be returned by the Governor with his objections within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the Legislature, by its adjournment, prevent its return; in which case it shall be a law, unless he shall file the same, with his objections, in the office of the Secretary of State, and give notice thereof by public proclamation, within twenty days after such adjournment. If any bill presented to the Governor contains several items of appropriation, he may object to one or more of such items, and approve the other portion of the bill. In such case he shall append to the bill, at the time of signing it, a statement of the items to which he objects, and no item so objected to shall take effect. If the Legislature be in session he shall transmit to the House in which the bill originated a copy of such statement, and the items objected to shall be separately considered. If, on reconsideration, one or more of such items be approved by two thirds of the members present of each House, the same shall be part of the law, notwithstanding the objections of the Governor. If any such bill, containing several items of appropriation, not having been presented to the Governor ten days (Sundays excepted) prior to adjournment, be in the hands of the Governor at the time of adjournment, he shall have twenty days from such adjournment within which to file objections to any items thereof and make proclamation of the same, and such item or items shall not take effect.

SEC. 15. Every order, resolution, or vote to which the concurrence of both Houses of the Legislature may be necessary, except on questions of adjournment, shall be presented to the Governor, and, before it shall take effect, shall be approved by him; or, being disapproved, shall be repassed by both Houses; and all the rules, provisions, and limitations shall apply thereto as prescribed in the last preceding section in the case of a bill.

SEC. 16. There shall also be a Lieutenant-governor, who shall be chosen at every election for Governor by the same electors, in the same manner, continue in office the same time, and possess the same qualifications. The electors shall distinguish for whom they vote as Governor and for whom as Lieutenant-governor. The Lieutenant-governor shall by virtue of his office be President of the Senate, and shall have, when in

SEC. XV.—1. What has the Governor to do with the adjourning of the Legislature?

SEC. XVI.—1. What are the qualifications of the Lieutenant-governor? 2. What are his duties? 3. What is meant by "Committee of the Whole"? 4. What is meant by "the casting vote"? 5. Under what circumstances may he become Governor? 6. Has any Governor of Texas been impeached?

Committee of the Whole, a right to debate and vote on all questions; and when the Senate is equally divided, to give the casting vote. In case of the death, resignation, removal from office, inability, or refusal of the Governor to serve, or of his impeachment or absence from the State, the Lieutenant-governor shall exercise the powers and authority appertaining to the office of Governor until another be chosen at the periodical election, and be duly qualified; or until the Governor impeached, absent, or disabled, shall be acquitted, return, or his disability be removed.

SEC. 17. If, during the vacancy in the office of Governor, the Lieutenant-governor should die, resign, refuse to serve, or be removed from office, or be unable to serve, or if he shall be impeached or absent from the State, the President of the Senate, for the time being, shall, in like manner, administer the government until he shall be superseded by a Governor or Lieutenant-governor. The Lieutenant-governor shall, while he acts as President of the Senate, receive for his services the same compensation and mileage which shall be allowed to the members of the Senate, and no more; and during the time he administers the government, as Governor, he shall receive in like manner the same compensation which the Governor would have received had he been employed in the duties of his office, and no more. The President, for the time being, of the Senate, shall, during the time he administers the government, receive in like manner the same compensation which the Governor would have received had he been employed in the duties of his office.

SEC. 18. The Lieutenant-governor or President of the Senate succeeding to the office of Governor shall, during the entire term to which he may succeed, be under all the restrictions and inhibitions imposed in this Constitution on the Governor.

SEC. 19. There shall be a Seal of the State, which shall be kept by the Secretary of State, and used by him officially under the direction of the Governor. The Seal of the State shall be a star of five points, encircled by olive and live-oak branches, and the words, "The State of Texas."

SEC. 20. All commissions shall be in the name and by the authority of the State of Texas, sealed with the State seal, signed by the Governor, and attested by the Secretary of State.

SEC. 21. There shall be a Secretary of State, who shall be appointed by the Governor, by and with the advice and consent

\*SEC. XVII.—1. If both Governor and **Lieutenant-governor** die, who becomes Governor? 2. What salary does the **Lieutenant-governor** receive?

SEC. XVIII.—1. Give the section. 2. Define "inhibitions."

SEC. XIX.—1. Describe the seal of Texas. 2. Who keeps it? 3. Who may use it?

SEC. XX.—1. What is said of commissions? 2. What is the meaning of "attested"?

SEC. XXI.—1. How is the Secretary of State chosen? 2. What are his duties? 3. What is his salary?



of the Senate, and who shall continue in office during the term of service of the Governor. He shall authenticate the publication of the laws, and keep a fair register of all official acts and proceedings of the Governor, and shall, when required, lay the same, and all papers, minutes, and vouchers relative thereto, before the Legislature, or either House thereof, and shall perform such other duties as may be required of him by law. He shall receive for his services an annual salary of two thousand dollars, and no more.

SEC. 22. The Attorney-general shall hold his office for two years, and until his successor is duly qualified. He shall represent the State in all suits and pleas in the Supreme Court of the State in which the State may be a party, and shall especially inquire into the charter rights of all private corporations, and from time to time, in the name of the State, take such action in the courts as may be proper and necessary to prevent any private corporation from exercising any power or demanding or collecting any species of taxes, tolls, freight, or wharfage, not authorized by law. He shall whenever sufficient cause exists, seek a judicial forfeiture of such charters, unless otherwise expressly directed by law, and give legal advice in writing to the Governor and other Executive Officers, when requested by them, and perform such other duties as may be required by law. He shall reside at the Seat of Government during his continuance in office. He shall receive for his services an annual salary of two thousand dollars, and no more, besides such fees as may be prescribed by law; *provided*, that the fees which he may receive shall not amount to more than two thousand dollars annually.

SEC. 23. The Comptroller of Public Accounts, the Treasurer, and the Commissioner of the General Land Office shall each hold office for the term of two years, and until his successor is qualified; receive an annual salary of two thousand and five hundred dollars, and no more; reside at the capital of the State during his continuance in office; and perform such duties as are or may be required of him by law. They and the Secretary of State shall not receive to their own use any fees, costs, or perquisites of office. All fees that may be payable by law for any service performed by any officer specified in this section, or in his office, shall be paid, when received, into the State treasury.

SEC. 24. An account shall be kept by the officers of the Executive Department, and by all officers and managers of State institutions, of all moneys and choses in action received and disbursed or otherwise disposed of by them, severally, from all sources, and for every service performed; and a semi-annual

SEC. XXII.—1. How long does the Attorney-general hold office? 2. What are his duties? 3. What is the greatest salary he can receive?

SEC. XXIII.—1. Give names and salaries of officers herein mentioned. 2. What is done with their fees? 3. Define "perquisites."

SEC. XXIV.—1. Give Section 24 in your own words. 2. Why is this necessary? 3. What is the punishment for perjury?



report thereof shall be made to the Governor under oath. The Governor may, at any time require information in writing from any and all of said officers or managers, upon any subject relating to the duties, condition, management, and expenses of their respective offices and institutions, which information shall be required by the Governor under oath, and the Governor may also inspect their books, accounts, vouchers, and public funds; and any officer or manager who, at any time, shall willfully make a false report, or give false information, shall be guilty of perjury, and so adjudged and punished accordingly, and removed from office.

SEC. 25. The Legislature shall pass efficient laws facilitating the investigation of breaches of trust and duty by all custodians of public funds, and providing for their suspension from office on reasonable cause shown, and for the appointment of temporary incumbents of their offices during such suspension.

SEC. 26. The Governor, by and with the advice and consent of two thirds of the Senate, shall appoint a convenient number of notaries public for each county, who shall perform such duties as now are or may be prescribed by law.

## ARTICLE V.

### JUDICIAL DEPARTMENT.

SECTION 1. The judicial power of this State shall be vested in one Supreme Court, in Courts of Civil Appeals, in a Court of Criminal Appeals, in District Courts, in County Courts, in Commissioners' Courts, in Courts of Justices of the Peace, and in such other courts as may be provided by law. The Criminal District Court of Galveston and Harris counties shall continue with the district jurisdiction, and organization now existing by law until otherwise provided by law. The Legislature may establish such other courts as it may deem necessary, and prescribe the jurisdiction and organization thereof, and may conform the jurisdiction of the district and other inferior courts thereto.

SEC. 2. The Supreme Court shall consist of a Chief Justice and two Associate Justices, any two of whom shall constitute a quorum, and the concurrence of two judges shall be necessary to the decision of a case. No person shall be eligible to the office of Chief Justice or Associate Justice of the Supreme Court unless he be, at the time of his election, a citizen of the

SEC. XXV.—1. What are meant by "breaches of trust"? 2. Define "temporary incumbent."

SEC. XXVI.—1. What are the duties of notaries public? 2. How are they appointed?

SEC. I.—1. Name the six different courts. 2. What is said of criminal district courts?

SEC. II.—1. Of what does the Supreme Court consist? 2. Name the qualifications of Chief and Associate Justices. 3. How are they chosen? 4. Salary. 5. Length of term?

United States and of this State, and unless he shall have attained the age of thirty years, and shall have been a practicing lawyer or a judge of a court, or such lawyer and judge together, at least seven years. Said Chief Justice and Associate Justices shall be elected by the qualified voters of the State at a general election, shall hold their offices six years or until their successors are elected and qualified, and shall each receive an annual salary of four thousand dollars until otherwise provided by law. In case of a vacancy in the office of Chief Justice of the Supreme Court, the Governor shall fill the vacancy until the next general election for State officers, and at such general election the vacancy for the unexpired term shall be filled by election by the qualified voters of the State. The judges of the Supreme Court who may be in office at the time this amendment takes effect shall continue in office until the expiration of their term of office under the present Constitution, and until their successors are elected and qualified.

SEC. 3. The Supreme Court shall have appellate jurisdiction only, except as herein specified, which shall be co-extensive with the limits of the State. Its appellate jurisdiction shall extend to questions of law arising in cases of which the Courts of Civil Appeals have appellate jurisdiction, under such restrictions and regulations as the Legislature may prescribe. Until otherwise provided by law, the appellate jurisdiction of the Supreme Court shall extend to questions of law arising in the cases in the Courts of Civil Appeals in which the judges of any Court of Civil Appeals may disagree, or where the several Courts of Civil Appeals may hold differently on the same question of law, or where a statute of the State is held void. The Supreme Court and the justices thereof shall have power to issue writs of *habeas corpus* as may be prescribed by law, and under such regulations as may be prescribed by law the said courts and the justices thereof may issue the writs of *mandamus*, *procedendo*, *certiorari*, and such other writs as may be necessary to enforce its jurisdiction. The Legislature may confer original jurisdiction on the Supreme Court to issue writs of *quo warranto* and *mandamus* in such cases as may be specified, except as against the Governor of the State. The Supreme Court shall also have power, upon affidavit or otherwise, as by the court may be determined, to ascertain such matters of fact as may be necessary to the proper exercise of its jurisdiction. The Supreme Court shall sit for the transaction of business from the first Monday in October of each year until the last Saturday of June in the next year, inclusive, at the capital of the State. The Supreme Court shall appoint a clerk, who shall give bond in such manner as is now or may hereafter be required by law, and he may hold his office for four years, and

SEC. III.—1. Define “appellate jurisdiction.” 2. What civil cases may come before this court? 3. Explain meaning of “interlocutory judgments.” 4. What powers has the Supreme Court? 5. When and where does the Supreme Court meet?

shall be subject to removal by said court for good cause, entered of record on the minutes of said court, who shall receive such compensation as the Legislature may provide.

SEC. 4. The Court of Criminal Appeals shall consist of three judges, any two of whom shall constitute a quorum, and the concurrence of two judges shall be necessary to a decision of said court; said judges shall have the same qualifications and receive the same salaries as the judges of the Supreme Court. They shall be elected by the qualified voters of the State at a general election, and shall hold their offices for a term of six years. In case of a vacancy in the office of a judge of the Court of Criminal Appeals, the Governor shall fill such vacancy by appointment for the unexpired term. The judges of the Court of Appeals who may be in office at the time when this amendment takes effect shall continue in office until the expiration of their term of office under the present Constitution and laws as judges of the Court of Criminal Appeals.

SEC. 5. The Court of Criminal Appeals shall have appellate jurisdiction co-extensive with the limits of the State in all criminal cases of whatever grade, with such exceptions and under such regulations as may be prescribed by law. The Court of Criminal Appeals and the judges thereof shall have the power to issue the writ of *habeas corpus*, and, under such regulations as may be prescribed by law, issue such writs as may be necessary to enforce its own jurisdiction. The Court of Criminal Appeals shall have power, upon affidavit or otherwise, to ascertain such matters of fact as may be necessary to the exercise of its jurisdiction. The Court of Criminal Appeals shall sit for the transaction of business from the first Monday in October to the last Saturday of June in each year, at the State capital and two other places (or the capital city), if the Legislature shall hereafter so provide. The Court of Criminal Appeals shall appoint a clerk for each place at which it may sit, and each clerk shall give bond in such manner as is now or may hereafter be required by law, and who shall hold his office for four years unless sooner removed by the court for good cause, entered of record on the minutes of said court.

SEC. 6. The Legislature shall, as soon as practicable after the adoption of this amendment, divide the State into not less than two nor more than three supreme judicial districts, and thereafter into such additional districts as the increase of population and business may require, and shall establish a Court of Civil Appeals in each of said districts, which shall consist of a Chief Justice and two Associate Justices, who shall have the

SEC. IV.—1. Give Section 4.

SEC. V.—1. Who compose the Court of Appeals? 2. Who elect the Court of Appeals? 3. Name qualifications of the judges. 4. Term of office. 5. Salary.

SEC. VI.—1. What criminal cases come before the Court of Appeals? 2. What civil cases come before the Court of Appeals? 3. What powers has the Court of Appeals? 4. When and where does the Court of Appeals meet?

qualifications as herein prescribed for justices of the Supreme Court. Said Court of Civil Appeals shall have appellate jurisdiction co-extensive with the limits of their respective districts, which shall extend to all civil cases of which the District Courts or County Courts have original or appellate jurisdiction, under such restrictions and regulations as may be prescribed by law; *provided*, that the decision of said courts shall be conclusive on all questions of fact brought before them on appeal or error. Each of said Courts of Civil Appeals shall hold its sessions at a place in its district to be designated by the Legislature, and at such time as may be prescribed by law. Said justices shall be elected by the qualified voters of their respective districts, at a general election, for a term of six years, and shall receive for their services the sum of three thousand five hundred dollars per annum until otherwise provided by law. Said courts shall have such other jurisdiction, original and appellate, as may be prescribed by law. Each Court of Civil Appeals shall appoint a clerk, in the same manner as the clerk of the Supreme Court, which clerk shall receive such compensation as may be fixed by law. Until the organization of the Courts of Civil Appeals and Criminal Appeals, as herein provided for, the jurisdiction, power, and organization and location of the Supreme Court, the Court of Appeals, and the Commission of Appeals shall continue as they were before the adoption of this amendment. All civil cases which may be pending in the Court of Appeals shall, as soon as practicable after the organization of the Courts of Civil Appeals be certified to and the records thereof transmitted to the proper Courts of Civil Appeals, to be decided by said courts. At the first session of the Supreme Court, the Court of Criminal Appeals, and such of the Courts of Civil Appeals which may be hereafter created under this Article after the first election of the judges of such courts under this amendment, the terms of office of the judges of each court shall be divided into three classes, and the justices thereof shall draw for the different classes. Those who shall draw class No. 1 shall hold their offices two years, those drawing class No. 2 shall hold their offices four years, and those who may draw class No. 3 shall hold their offices for six years from the date of their election and until their successors are elected and qualified; and thereafter each of the said judges shall hold his office for six years, as provided in this Constitution.

SEC. 7. The State shall be divided into as many judicial districts as may now or hereafter be provided by law, which may be increased or diminished by law. For each district there shall be elected by the qualified voters thereof, at a general election, a judge, who shall be a citizen of the United States and of this State; who shall have been a practicing lawyer of this State or a judge of a court in this State for four years next

SEC. VII.—How many judicial districts has Texas? 2. Give the qualifications of a district judge. 3. Salary. 4. Length of term. 5. His duties.

preceding his election; who shall have resided in the district in which he was elected for two years next preceding his election; who shall reside in his district during his term of office: who shall hold his office for the period of four years, and shall receive for his services an annual salary of two thousand five hundred dollars, until otherwise changed by law. He shall hold the regular terms of his court at the county seat of each county in his district at least twice in each year, in such manner as may be prescribed by law. The Legislature shall have power by general or special laws to authorize the holding of special terms of the court, or the holding of more than two terms in any county, for the dispatch of business. The Legislature shall also provide for the holding of District Court when the judge thereof is absent, or is from any cause disabled or disqualified from presiding. The District Judges who may be in office when this amendment takes effect shall hold their offices until their respective terms shall expire under their present election or appointment.

SEC. 8. The District Court shall have original jurisdiction in all criminal cases of the grade of felony; in all suits in behalf of the State to recover penalties, forfeitures, and escheats; of all cases of divorce; of all misdemeanors involving official misconduct; of all suits to recover damages for slander or defamation of character; of all suits for trial of title to land and for enforcement of liens thereon; of all suits for the trial of the right of property levied upon by virtue of any writ of execution, sequestration, or attachment when the property levied on shall be equal to or exceed in value five hundred dollars; of all suits, complaints, or pleas whatever without regard to any distinction between law and equity, when the matter in controversy shall be valued at or amount to five hundred dollars, exclusive of interest; of contested elections; and said court and the judges thereof shall have power to issue writs of *habeas corpus*, *mandamus*, injunction, and *certiorari*, and all writs necessary to enforce their jurisdiction. The District Court shall have appellate jurisdiction and general control in probate matters over the County Court established in each county, for appointing guardians, granting letters testamentary and of administration, probating wills, for settling the accounts of executors, administrators, and guardians, and for the transaction of all business appertaining to estates; and original jurisdiction and general control over executors, administrators, guardians, and minors, under such regulations as may be prescribed by law. The District Court shall have appellate jurisdiction and general supervisory control over the County Commissioners' Court, with such exceptions and under such regulations as may be prescribed by law; and shall have general original jurisdiction over all causes of action whatever for which a remedy or jurisdiction is not provided by law or this Constitution, and such other jurisdiction, original and appellate, as may be provided by law.



SEC. 9. There shall be a clerk for the District Court of each county, who shall be elected by the qualified voters for the State and county officers, and who shall hold his office for two years, subject to removal by information, or by indictment of a grand jury, and conviction by a petit jury. In case of vacancy the judge of the District Court shall have the power to appoint a clerk, who shall hold until the office can be filled by election.

SEC. 10. In the trial of all causes in the District Courts, the plaintiff or defendant shall, upon application made in open court, have the right of trial by jury; but no jury shall be impaneled in any civil case unless demanded by a party to the case, and a jury fee be paid by the party demanding a jury, for such sum, and with such exceptions as may be prescribed by the Legislature.

SEC. 11. No judge shall sit in any case wherein he may be interested, or when either of the parties may be connected with him either by affinity or consanguinity, within such a degree as may be prescribed by law, or when he shall have been counsel in the case. When the Supreme Court, the Court of Criminal Appeals, the Court of Civil Appeals, or any member of either, shall be thus disqualified to hear and determine any case or cases in said court, the same shall be certified to the Governor of the State, who shall immediately commission the requisite number of persons learned in the law, for the trial and determination of such cause or causes. When a judge of the District Court is disqualified by any of the causes above stated, the parties may, by consent, appoint a proper person to try said case; or, upon their failing to do so, a competent person may be appointed to try the same in the county where it is pending, in such manner as may be prescribed by law. And the District Judges may exchange districts, or hold courts for each other, when they may deem it expedient, and shall do so when required by law. The disqualification of judges of inferior tribunals shall be remedied, and vacancies in their offices filled as may be prescribed by law.

SEC. 12. All judges of courts of this State [shall], by virtue of their office, be conservators of the peace throughout the State. The style of all writs and process shall be "The State of Texas." All prosecutions shall be carried on in the name and by the authority of "The State of Texas," and shall conclude "against the peace and dignity of the State."

SEC. IX.—1. How is the clerk of the District Court selected. 2. How may he be removed?

SEC. X.—1. When is a civil case tried in a District Court before a jury?

SEC. XI.—1. In what cases is a judge forbidden to preside? 2. What if a majority of the Supreme or Appellate Court be disqualified? 3. What is done if a judge of the District Court be thus disqualified?

SEC. XII.—1. What is meant by "conservators of the peace"? 2. What shall be the style of all writs?

SEC. XII.—1. Of how many men does a jury consist. 2. What is said of a grand jury? 3. Under what circumstances may a part of a jury render a verdict?



SEC. 13. Grand and petit juries in the District Courts shall be composed of twelve men; but nine members of a grand jury shall be a quorum to transact business and present bills. In trials of civil cases, and in trials of criminal cases below the grade of felony, in the District Courts, nine members of the jury, concurring, may render a verdict; but when the verdict shall be rendered by less than the whole number, it shall be signed by every member of the jury concurring in it. When, pending the trial of any case, one or more jurors, not exceeding three, may die, or be disabled from sitting, the remainder of the jury shall have the power to render the verdict; *provided*, that the Legislature may change or modify the rule authorizing less than the whole number of the jury to render a verdict.

SEC. 14. The judicial districts in this State and the time of holding the courts therein are fixed by ordinance forming part of this Constitution, until otherwise provided by law.

SEC. 15. There shall be established in each county in this State a County Court, which shall be a court of record; and there shall be elected in each county, by the qualified voters, a County Judge, who shall be well informed in the law of the State; shall be a conservator of the peace, and shall hold his office for two years; and until his successor shall be elected and qualified. He shall receive as a compensation for his services such fees and perquisites as may be prescribed by law.

SEC. 16. The County Court shall have original jurisdiction of all misdemeanors, of which exclusive original jurisdiction is not given to the Justice's Court, as the same is now or may hereafter be prescribed by law, and when the fine to be imposed shall exceed two hundred dollars; and they shall have exclusive original jurisdiction in all civil cases when the matter in controversy shall exceed in value two hundred dollars, and not exceed five hundred dollars, exclusive of interest; and concurrent jurisdiction with the District Court, when the matter in controversy shall exceed five hundred dollars and not exceed one thousand dollars, exclusive of interest; but shall not have jurisdiction of suits for the recovery of land. They shall have appellate jurisdiction in cases, civil and criminal, of which Justice's Courts have original jurisdiction, but of such civil cases only when the judgment of the court appealed from shall exceed twenty dollars, exclusive of cost, under such regulations as may be prescribed by law. In all appeals from Justice's Courts, there shall be a trial *de novo* in the County Court, and appeals may be prosecuted from the final judgment rendered in such cases by the County Court, as well as all cases, civil and criminal, of which the County Court has exclusive or con-

SEC. XV.—1. What is said of the County Judge?

SEC. XVI.—1. In what cases has the County Court original jurisdiction? 2. Concurrent jurisdiction? 3. Appellate jurisdiction? 4. What is said of appeals from the Justice's Courts? 5. When can one appeal from the County Court to the Court of Appeals? 6. Name some of the duties of the County Court.

current or original jurisdiction—of civil appeals in civil cases to the Court of Civil Appeals, and in such criminal cases to the Court of Criminal Appeals, with such exceptions and under such regulations as may be prescribed by law. The County Court shall have the general jurisdiction of a Probate Court. They shall probate wills, appoint guardians of minors, idiots, lunatics, persons *non compos mentis*, and common drunkards, grant letters testamentary and of administration, settle accounts of executors, administrators, and guardians, transact all business appertaining to the estates of deceased persons, minors, idiots, lunatics, persons *non compos mentis*, and common drunkards, including the settlement, partition, and distribution of estates of deceased persons, and to apprentice minors, as provided by law; and the County Court, or judge thereof, shall have power to issue writs of injunction, *mandamus*, and all writs necessary to the enforcement of the jurisdiction of said court; and to issue writs of *habeas corpus* in cases where the offense charged is within the jurisdiction of the County Court, or any other court or tribunal inferior to said court. The County Court shall not have criminal jurisdiction in any county where there is a Criminal District Court, unless expressly conferred by law; and in such counties appeals from Justice's Courts and other inferior courts and tribunals, in criminal cases, shall be to the Criminal District Court, under such regulations as may be prescribed by law, and in all such cases an appeal shall lie from such District Court to the Court of Criminal Appeals. When the judge of the County Court is disqualified in any case pending in the County Court, the parties interested may by consent appoint a proper person to try said case, or, upon their failing to do so, a competent person may be appointed to try the same in the county where it is pending, in such manner as may be prescribed by law.

SEC. 17. The County Court shall hold a term for civil business at least once in every two months, and shall dispose of probate business, either in term-time or vacation, as may be provided by law; and said court shall hold a term for criminal business once in every month, as may be provided by law. Prosecutions may be commenced in said court by information filed by the County Attorney, or by affidavit, as may be provided by law. Grand juries impaneled in the District Courts shall inquire into misdemeanors, and all indictments therefor returned into the District Courts shall forthwith be certified to the County Courts, or other inferior courts having jurisdiction to try them, for trial; and if such indictment be quashed in the County or other inferior court, the person charged shall not be discharged if there is probable cause of guilt, but may be held by such court or magistrate to answer information or affidavit. A jury in the County Court shall consist of six men; but no jury shall be

SEC. XVII.—1. How often does the County Court hold a term? 2. How many jurors are required in the County Court? 3. When may a jury be impaneled?

impaneled to try a civil case, unless demanded by one of the parties, who shall pay such jury fee therefor, in advance, as may be prescribed by law, unless he makes affidavit that he is unable to pay the same.

SEC. 18. Each organized county in the State, now or hereafter existing, shall be divided from time to time, for the convenience of the people into precincts, not less than four and not more than eight. The present County Courts shall make the first division. Subsequent divisions shall be made by the Commissioners' Court, provided for by this Constitution. In each such precinct there shall be elected, at each biennial election, one Justice of the Peace and one Constable, each of whom shall hold his office for two years, and until his successor shall be elected and qualified; *provided*, that in any precinct in which there may be a city of eight thousand or more inhabitants, there shall be elected two Justices of the Peace. Each county shall in like manner be divided into four commissioners' precincts, in each of which there shall be elected, by the qualified voters thereof, one County Commissioner, who shall hold his office for two years, and until his successor shall be elected and qualified. The County Commissioners so chosen, with the County Judge, as presiding officer, shall compose the County Commissioners' Court, which shall exercise such powers and jurisdiction over all county business as is conferred by this Constitution and the laws of this State, as may be hereafter prescribed.

SEC. 19. Justices of the peace shall have jurisdiction in criminal matters of all cases where the penalty or fine to be imposed by law may not be more than for two hundred dollars, and in civil matters of all cases where the amount in controversy is two hundred dollars or less, exclusive of interest, of which exclusive original jurisdiction is not given to the District or County Courts; and such other jurisdiction, criminal and civil, as may be provided by law, under such regulations as may be prescribed by law; and appeals to the County Courts shall be allowed in all cases decided in Justice's Courts where the judgment is for more than twenty dollars, exclusive of costs, and in all criminal cases, under such regulations, as may be prescribed by law. And the Justices of the Peace shall be *ex-officio* notaries public; and they shall hold their courts at such times and places as may be provided by law.

SEC. 20. There shall be elected for each county, by the qualified voters, a County Clerk, who shall hold his office for two years, who shall be Clerk of the County and Commissioners' Courts and Recorder of the county, whose duties, perquisites, and fees of office shall be prescribed by the Legislature, and a vacancy in whose office shall be filled by the Commissioners' Court,

SEC. XVIII.—1. How many precincts does your county contain? 2. How are these precincts organized? 3. Name the officers of the precincts.

SEC. XIX.—1. Over what cases has a Justice of Peace jurisdiction?

SEC. XX.—1. What is said of the County Clerk?

until the next general election for county and State officers; *provided*, that in counties having a population of less than eight thousand persons there may be an election of a single clerk, who shall perform the duties of District and County Clerks.

SEC. 21. A County Attorney, for counties in which there is not a resident Criminal District Attorney, shall be elected by the qualified voters of each county, who shall be commissioned by the Governor, and hold his office for the term of two years. In case of vacancy, the Commissioners' Court of the county shall have power to appoint a County Attorney until the next general election. The County Attorneys shall represent the State in all cases in the District and inferior courts in their respective counties; but if any county shall be included in a district in which there shall be a District Attorney, the respective duties of District Attorneys and County Attorneys shall in such counties be regulated by the Legislature. The Legislature may provide for the election of District Attorneys in such districts as may be deemed necessary, and make provision for the compensation of District Attorneys and County Attorneys; *provided*, District Attorneys shall receive an annual salary of five hundred dollars, to be paid by the State, and such fees, commissions, and perquisites as may be provided by law. County Attorneys shall receive as compensation only such fees, commissions, and perquisites as may be prescribed by law.

SEC. 22. The Legislature shall have power, by local or general law, to increase, diminish, or change the civil and criminal jurisdiction of County Courts; and in cases of any such change of jurisdiction the Legislature shall also conform the jurisdiction of the other courts to such change.

SEC. 23. There shall be elected by the qualified voters of each county a Sheriff, who shall hold his office for the term of two years, whose duties, and perquisites, and fees of office shall be prescribed by the Legislature, and vacancies in whose office shall be filled by the Commissioners' Court until the next general election for county or State officers.

SEC. 24. County Judges, County Attorneys, Clerks of the District and County Courts, Justices of the Peace, Constables, and other county officers, may be removed by the judges of the District Courts for incompetency, official misconduct, habitual drunkenness, or other causes defined by law, upon the cause thereof being set forth in writing, and the finding of its truth by a jury.

SEC. 25. The Supreme Court shall have power to make and establish rules of procedure, not inconsistent with the laws of the State, for the government of said court, and the other courts of the State, to expedite the dispatch of business therein.

SEC. 26. The State shall have no right of appeal in criminal cases.

SEC. XXI.—1. What counties have County Attorneys? 2. How is the County Attorney chosen? 3. His duties? 4. What is said of District Attorneys?

SEC. 27. The Legislature shall, at its first session, provide for the transfer of all business, civil and criminal, pending in District Courts, over which jurisdiction is given by this Constitution to the County Courts, or other inferior courts, to such County or inferior courts, and for the trial or disposition of all such causes by such County or other inferior courts.

SEC. 28. Vacancies in the office of judges of the Supreme Court, the Court of Criminal Appeals, the Court of Civil Appeals, and District Courts, shall be filled by the Governor until the next succeeding general election; and vacancies in the office of County Judge, and Justices of the Peace, shall be filled by the Commissioners' Court, until the next general election for such offices.

SEC. 29. The County Court shall hold at least four terms for both civil and criminal business annually, as may be provided by the Legislature, or by the Commissioners' Court of the county under authority of law, and such other terms each year as may be fixed by the Commissioners' Court; *provided*, the Commissioners' Court of any county having fixed the time and number of terms of the County Court, shall not change the same again till the expiration of one year. Said court shall dispose of probate business either in term-time or vacation, under such regulation as may be prescribed by law. Prosecutions may be commenced in said courts in such manner as is, or may be, provided by law, and a jury therein shall consist of six men. Until otherwise provided, the terms of the County Court shall be held on the first Mondays in February, May, August, and November, and may remain in session three weeks.

## ARTICLE VI.

### SUFFRAGE.

SECTION 1. The following classes of persons shall not be allowed to vote in this State, to-wit:

*First.*—Persons under twenty-one years of age.

*Second.*—Idiots and lunatics.

*Third.*—All paupers supported by any county.

*Fourth.*—All persons convicted of any felony, subject to such exceptions as the Legislature may make.

*Fifth.*—All soldiers, marines, and seamen employed in the service of the army or navy of the United States.

SEC. 2. Every male person subject to none of the foregoing disqualifications, who shall have attained the age of twenty-one years, and who shall be a citizen of the United States, and who shall have resided in this State one year next preceding an election, and the last six months within the district or county in which he offers to vote, shall be deemed a qualified elector; and every male person of foreign birth, subject to none of the foregoing disqualifications, who, at any time before an election, shall have declared his intention to become a citizen of the



United States in accordance with the Federal Naturalization Laws, and shall have resided in this State one year next preceding such election, and the last six months in the county in which he offers to vote, shall also be deemed a qualified elector; and all electors shall vote in the election precinct of their residence; *provided*, that electors living in any unorganized county may vote at any election precinct in the county to which such county is attached for judicial purposes. [See amendment, p. 402.]

SEC. 3. All qualified electors of the State, as herein described, who shall have resided for six months immediately preceding an election within the limits of any city or corporate town, shall have the right to vote for Mayor and all other elective officers; but in all elections to determine expenditure of money or assumption of debt, only those shall be qualified to vote who pay taxes on property in said city or incorporated town; *provided*, that no poll tax for the payment of debts thus incurred shall be levied upon the persons debarred from voting in relation thereto.

SEC. 4. In all elections by the people the vote shall be by ballot, and the Legislature shall provide for the numbering of tickets, and make such other regulations as may be necessary to detect and punish fraud, and preserve the purity of the ballot box; and the Legislature may provide by law for the registration of all voters in all cities containing a population of ten thousand inhabitants or more.

SEC. 5. Voters shall, in all cases, except treason, felony, or breach of the peace, be privileged from arrest during their attendance at elections, and in going to and returning therefrom.

## ARTICLE VII.

### EDUCATION.—THE PUBLIC FREE SCHOOLS.

SECTION 1. A general diffusion of knowledge being essential to the preservation of the liberties and rights of the people, it shall be the duty of the Legislature of the State to establish and make suitable provision for the support and maintenance of an efficient system of public free schools.

SEC. 2. All funds, lands, and other property heretofore set apart and appropriated for the support of public schools, all the alternate sections of land reserved by the State out of grants heretofore made, or that may hereafter be made, to railroads, or other corporations, of any nature whatsoever; one half of the public domain of the State; and all sums of money that may come to the State from the sale of any portion of the same, shall constitute a perpetual school fund.

SEC. 3. One fourth of the revenue derived from the State occupation of taxes, and a poll tax of one dollar on every male inhabitant of this State between the ages of twenty-one and sixty years, shall be set apart annually for the benefit of the public free schools, and in addition thereto there shall be levied



and collected an annual ad valorem State tax of such an amount, not to exceed twenty cents on the one hundred dollars' valuation, as with the available school fund arising from all other sources will be sufficient to support and maintain the public free schools of this State for a period of not less than six months in each year; and the Legislature may also provide for the formation of school districts within all or any of the counties of this State, by general or special law, without the local notice required in other cases of special legislation, and may authorize an additional annual ad valorem tax to be levied and collected within such school districts for the further maintenance of public free schools and the erection of school buildings therein; *provided*, that two-thirds of the qualified property tax-paying voters of the district, voting at an election to be held for that purpose, shall vote such tax, not to exceed, in any one year, twenty cents on the one hundred dollars' valuation of the property subject to taxation in such district, but the limitation upon the amount of district tax herein authorized shall not apply to incorporated cities or towns constituting separate and independent school districts.

SEC. 4. The lands herein set apart for the public free school fund shall be sold under such regulations, at such times, and on such terms, as may be prescribed by law; and the Legislature shall not have power to grant any relief to purchasers thereof. The Comptroller shall invest the proceeds of such sales, and of those heretofore made, as may be directed by the Board of Education, herein provided for, in the bonds of the United States, the State of Texas, or counties in said State, or in such other securities and under such restrictions as may be prescribed by law; and the State shall be responsible for all investments.

SEC. 5. The principal of all bonds, and other funds, and the principal arising from the sale of the lands hereinbefore set apart to said school fund, shall be the permanent school fund; and all the interest derivable therefrom, and the taxes herein authorized and levied, shall be the available school fund, to which the Legislature may add not exceeding one per cent. annually of the total value of the permanent school fund; such value to be ascertained by the Board of Education until otherwise provided by law; and the available school fund shall be applied annually to the support of the public free schools. And no law shall ever be enacted appropriating any part of the permanent or available school fund to any other purpose whatever; nor shall the same or any part thereof ever be appropriated to, or used for the support of, any sectarian school; and the available school fund herein provided shall be distributed to the several counties according to their scholastic population, and applied in such manner as may be provided by law.

SEC. 6. All lands heretofore or hereafter granted to the several counties of this State for educational purposes are of right the property of said counties, respectively, to which they were granted, and title thereto is vested in said counties, and no

adverse possession or limitation shall ever be available against the title of any county. Each county may sell or dispose of its lands, in whole or in part, in manner to be provided by the Commissioners' Court of the county. Actual settlers, residing on said lands, shall be protected in the prior right of purchasing the same to the extent of their settlement, not to exceed one hundred and sixty acres, at the price fixed by said court, which price shall not include the value of existing improvements made thereon by such settlers. Said lands, and the proceeds thereof, when sold, shall be held by said counties alone, as a trust for the benefit of public schools therein; said proceeds to be invested in bonds of the United States, the State of Texas, or counties in said State, or in such other securities and under such restrictions as may be prescribed by law; and the counties shall be responsible for all investments; the interest thereon, and other revenue, except the principal, shall be available fund.

SEC. 7. Separate schools shall be provided for the white and colored children, and impartial provision shall be made for both.

SEC. 8. The Governor, Comptroller, and Secretary of State shall constitute a Board of Education, who shall distribute said funds to the several counties, and perform such other duties concerning public schools as may be prescribed by law.

#### ASYLUMS.

SEC. 9. All lands heretofore granted for the benefit of the Lunatic, Blind, Deaf and Dumb, and Orphan Asylums, together with such donations as may have been or may hereafter be made to either of them, respectively, as indicated in the several grants, are hereby set apart to provide a permanent fund for the support, maintenance, and improvement of said asylums. And the Legislature may provide for the sale of the lands and the investment of the proceeds in manner as provided for the sale and investment of school lands in Section 4 of this Article.

#### UNIVERSITY.

SEC. 10. The Legislature shall, as soon as practicable, establish, organize, and provide for the maintenance, support, and direction of a university of the first class, to be located by a vote of the people of this State, and styled "The University of Texas," for the promotion of literature, and the arts and sciences, including an agricultural and mechanical department.

SEC. 11. In order to enable the Legislature to perform the duties set forth in the foregoing section, it is hereby declared that all lands and other property heretofore set apart and appropriated for the establishment and maintenance of "The University of Texas," together with all the proceeds of sales of the same, heretofore made or hereafter to be made and all grants, donations, and appropriations that may hereafter be made by the

the State of Texas, or from any other source, shall constitute and become a permanent university fund. And the same as realized and received into the treasury of the State (together with such sums belonging to the fund, as may now be in the treasury) shall be invested in bonds of the State of Texas, if the same can be obtained; if not, then in United States bonds; and the interest accruing thereon shall be subject to appropriation by the Legislature to accomplish the purpose declared in the foregoing section; *provided*, that the one tenth of the alternate sections of the lands granted to railroads, reserved by the State, which were set apart and appropriated to the establishment of "The University of Texas," by an act of the Legislature of February 11, 1858, entitled "An act to establish 'The University of Texas,'" shall not be included in or constitute a part of the permanent university fund.

SEC. 12. The land herein set apart to the university fund shall be sold under such regulations, at such times, and on such terms, as may be provided by law; and the Legislature shall provide for the prompt collection, at maturity, of all debts due on account of university lands, heretofore sold, or that may hereafter be sold, and shall in neither event have the power to grant relief to the purchasers.

SEC. 13. The Agricultural and Mechanical College of Texas, established by an act of the Legislature, passed April 17, 1871, located in the county of Brazos, is hereby made and constituted a branch of the University of Texas, for instruction in agriculture, the mechanic arts, and the natural sciences connected therewith. And the Legislature shall, at its next session, make an appropriation, not to exceed forty thousand dollars, for the construction and completion of the buildings and improvements, and for providing the furniture necessary to put said college in immediate and successful operation.

SEC. 14. The Legislature shall also, when deemed practicable, establish and provide for the maintenance of a college or branch university for the instruction of the colored youths of the State, to be located by a vote of the people; *provided*, that no tax shall be levied, and no money appropriated out of the general revenue, either for this purpose or for the establishment and erection of the buildings of the University of Texas.

SEC. 15. In addition to the lands heretofore granted to the University of Texas, there is hereby set apart and appropriated, for the endowment, maintenance, and support of said University and its branches, one million acres of the unappropriated public domain of the State, to be designated and surveyed as may be provided by law; and said lands shall be sold under the same regulations, and the proceeds invested in the same manner, as is provided for the sale and investment of the permanent university fund; and the Legislature shall not have power to grant any relief to the purchasers of said lands.

## ARTICLE VIII.

## TAXATION AND REVENUE.

SECTION 1. Taxation shall be equal and uniform. All property in this State, whether owned by natural persons or corporations, other than municipal, shall be taxed in proportion to its value, which shall be ascertained as may be provided by law. The Legislature may impose a poll tax. It may also impose occupation taxes, both upon natural persons and upon corporations, other than municipal, doing any business in this State. It may also tax incomes of both natural persons and corporations, other than municipal, except that persons engaged in mechanical and agricultural pursuits shall never be required to pay an occupation tax; *provided*, that two hundred and fifty dollars' worth of household and kitchen furniture, belonging to each family in this State, shall be exempt from taxation; and *provided* further, that the occupation tax levied by any county, city, or town, for any year, on persons or corporations pursuing any profession or business, shall not exceed one half of the tax levied by the State for the same period on such profession or business.

SEC. 2. All occupation taxes shall be equal and uniform upon the same class of subjects within the limits of the authority levying the tax; but the Legislature may, by general laws, exempt from taxation public property used for public purposes; actual places of religious worship; places of burial not held for private or corporate profit; all buildings used exclusively and owned by persons or associations of persons for school purposes (and the necessary furniture of all schools), and institutions of purely public charity; and all laws exempting property from taxation, other than the property above mentioned, shall be void.

SEC. 3. Taxes shall be levied and collected by general laws and for public purposes only.

SEC. 4. The power to tax corporations and corporate property shall not be surrendered or suspended by act of the Legislature, by any contract or grant to which the State shall be a party.

SEC. 5. All property of railroad companies, of whatever description, lying or being within the limits of any city or incorporated town within this State, shall bear its proportionate share of municipal taxation; and if any such property shall not have been heretofore rendered, the authorities of the city or town within which it lies shall have power to require its rendition, and collect the usual municipal tax thereon, as on other property lying within said municipality.

SEC. 6. No money shall be drawn from the treasury but in pursuance of specific appropriations made by law; nor shall any appropriation of money be made for a longer term than two years, except by the first Legislature to assemble under this Constitution, which may make the necessary appropriations to

carry on the government until the assemblage of the Sixteenth Legislature.

SEC. 7. The Legislature shall not have power to borrow, or in any manner divert from its purpose, any special fund that may, or ought to, come into the treasury; and shall make it penal for any person or persons to borrow, withhold, or in any manner to divert from its purpose any special fund, or any part hereof.

SEC. 8. All property of railroad companies shall be assessed, and the taxes collected in the several counties in which said property is situated, including so much of the road-bed and fixtures as shall be in each county. The rolling stock may be assessed in gross in the county where the principal office of the company is located, and the county tax paid upon it shall be apportioned by the Comptroller, in proportion to the distance such road may run through any such county, among the several counties through which the road passes, as a part of their tax assets.

SEC. 9. The State tax on property exclusive of the tax necessary to pay the public debt, and of the taxes provided for the benefit of public free schools, shall never exceed thirty-five cents on the one hundred dollars' valuation; and no county, city, or town shall levy more than twenty-five cents for city or county purposes, and not exceed fifteen cents for roads and bridges, on the one hundred dollars' valuation, except for the payment of debts incurred prior to the adoption of this Amendment, and for the erection of public buildings, street, sewers, and other permanent improvements, not to exceed twenty-five cents on the one hundred dollars' valuation in any one year, and except as is in this Constitution otherwise provided, and the Legislature may also authorize an additional ad valorem tax to be levied and collected for the further maintenance of the public roads; *provided*, that a majority of the qualified property tax-paying voters of the county, voting at an election to be held for that purpose, shall vote such tax, not to exceed fifteen cents on the one hundred dollars' valuation of the property subject to taxation in such county. And the Legislature may pass local laws for the maintenance of public roads and highways without the local notice required for special or local laws.

SEC. 10. The Legislature shall have no power to release the inhabitants of, or property in, any county, city, or town from the payment of taxes levied for State or county purposes, unless in case of great public calamity in any such county, city, or town, when such release may be made by a vote of two thirds of each House of the Legislature.

SEC. 11. All property, whether owned by persons or corporations, shall be assessed for taxation, and the taxes paid in the county where situated, but the Legislature may, by a two-thirds vote, authorize the payment of taxes of non-residents of counties to be made at the office of the Comptroller of Public Accounts. And all lands and other property not rendered for taxation by



the owner thereof shall be assessed at its fair value by the proper officer.

SEC. 12. All property subject to taxation in and owned by residents of unorganized counties, shall be assessed and the taxes thereon paid in the counties to which such unorganized counties shall be attached for judicial purposes; and lands lying in and owned by non-residents of unorganized counties, and lands lying in the territory, not laid off into counties, shall be assessed and the taxes thereon collected at the office of the Comptroller of the State.

SEC. 13. Provision shall be made by the first Legislature for the speedy sale of a sufficient portion of all lands and other property for the taxes due thereon, and every year thereafter for the sale of all lands and other property upon which the taxes have not been paid, and the deed of conveyance to the purchaser for all lands and other property thus sold shall be held to vest a good and perfect title in the purchaser thereof, subject to be impeached only for actual fraud; *provided*, that the former owner shall, within two years from date of purchaser's deed, have the right to redeem the land upon the payment of double the amount of money paid for the land.

SEC. 14. There shall be elected by the qualified electors of each county, at the same time and under the same law regulating the election of State and county officers, an assessor of taxes, who shall hold his office for two years, and until his successor is elected and qualified.

SEC. 15. The annual assessment made upon landed property shall be a special lien thereon, and all property, both real and personal, belonging to any delinquent tax-payer, shall be liable to seizure and sale for the payment of all the taxes and penalties due by such delinquent; and such property may be sold for the payment of the taxes and penalties due by such delinquent, under such regulations as the Legislature may provide.

SEC. 16. The sheriff of each county, in addition to his other duties, shall be the collector of taxes therefor. But in counties having ten thousand inhabitants, to be determined by the last preceding census of the United States, a collector of taxes shall be elected to hold office for two years, and until his successor shall be elected and qualified.

SEC. 17. The specification of the objects and subjects of taxation shall not deprive the Legislature of the power to require other subjects or objects to be taxed in such manner as may be consistent with the principles of taxation fixed in this Constitution.

SEC. 18. The Legislature shall provide for equalizing, as near as may be, the valuation of all property subject to or rendered for taxation (the County Commissioners' Court to constitute a board of equalization); and may also provide for the classification of all lands, with reference to their value in the several counties.



SEC. 19. Farm products in the hands of the producer, and family supplies for home and farm use, are exempt from all taxation until otherwise directed by a two-thirds vote of all the members elect to both Houses of the Legislature.

## ARTICLE IX.

### COUNTIES.

SECTION 1. The Legislature shall have power to create counties for the convenience of the people, subject to the following provisions:

*First.*—In the territory of the State exterior to all counties now existing, no new counties shall be created with a less area than nine hundred square miles, in a square form, unless prevented by pre-existing boundary lines. Should the State lines render this impracticable in border counties, the area may be less. The territory referred to may, at any time, in whole or in part, be divided into counties in advance of population, and attached, for judicial and land-surveying purposes, to the most convenient organized county or counties.

*Second.*—Within the territory of any county or counties now existing, no new county shall be created with a less area than seven hundred square miles, nor shall any such county now existing be reduced to a less area than seven hundred square miles. No new counties shall be created so as to approach nearer than twelve miles of the county seat of any county from which it may, in whole or in part, be taken. Counties of a less area than nine hundred, but of seven hundred or more square miles, within counties now existing, may be created by a two-thirds vote of each House of Legislature, taken by yeas and nays, and entered on the journals. Any county now existing may be reduced to an area of not less than seven hundred square miles, by a like two-thirds vote. When any part of a county is stricken off and attached to or created into another county, the part stricken off shall be holden for and obliged to pay its proportion of all the liabilities then existing of the county from which it was taken, in such manner as may be prescribed by law.

*Third.*—No part of any existing county shall be detached from it and attached to another existing county until the proposition for such change shall have been submitted, in such manner as may be provided by law, to a vote of the electors of both counties, and shall have received a majority of those voting on the question in each.

### COUNTY SEATS.

SEC. 2. The Legislature shall pass laws regulating the manner of removing county seats, but no county seat situated within five miles of the geographical center of the county shall be

removed, except by a vote of two thirds of all the electors voting on the subject. A majority of such electors, however, voting at such election, may remove a county seat from a point more than five miles from the geographical center of the county to a point within five miles of such center, in either case the center to be determined by a certificate from the Commissioner of the General Land Office.

## ARTICLE X.

### RAILROADS.

SECTION 1. Any railroad corporation or association, organized under the law for the purpose, shall have the right to construct and operate a railroad between any points within this State, and to connect at the State line with railroads of other States. Every railroad company shall have the right, with its road, to intersect, connect with, or cross any other railroad; and shall receive and transport each the other's passengers, tonnage, and cars, loaded or empty, without delay or discrimination, under such regulations as shall be prescribed by law.

SEC. 2. Railroads heretofore constructed, or that may hereafter be constructed in this State, are hereby declared public highways, and railroad companies common carriers. The Legislature shall pass laws to regulate railroad freight and passenger tariffs, to correct abuses, and prevent unjust discrimination and extortion in the rates of freight and passenger tariffs on the different railroads in this State, and enforce the same by adequate penalties; and to the further accomplishment of these objects and purposes may provide and establish all requisite means and agencies, invested with such powers as may be deemed adequate and advisable.

SEC. 3. Every railroad or other corporation, organized or doing business in this State under the laws or authority thereof, shall have and maintain a public office or place in this State for the transaction of its business, where transfers of stock shall be made, and where shall be kept, for inspection by the stockholders of such corporations, books, in which shall be recorded the amount of capital stock subscribed, the names of the owners of the stock, the amounts owned by them respectively, the amount of stock paid, and by whom, the transfer of said stock, with the date of the transfer, the amount of its assets and liabilities, and the names and places of residence of its officers. The directors of every railroad company shall hold one meeting annually in this State, public notice of which shall be given thirty days previously, and the president or superintendent shall report annually, under oath, to the Comptroller or Governor, their acts and doings, which report shall include such matters relating to railroads as may be prescribed by law. The Legislature shall pass laws enforcing by suitable penalties the provisions of this section.

SEC. 4. The rolling stock and all other movable property belonging to any railroad company or corporation in this State shall be considered personal property, and its real and personal property, or any part thereof, shall be liable to execution and sale in the same manner as the property of individuals; and the Legislature shall pass no laws exempting any such property from execution and sale.

SEC. 5. No railroad or other corporation, or the lessees, purchasers, or managers of any railroad corporation, shall consolidate the stock, property, or franchises of such corporation with, or lease or purchase the works or franchises of, or in any way control any railroad corporation owning or having under its control a parallel or competing line; nor shall any officer of such railroad corporation act as an officer of any other railroad corporation owning or having the control of a parallel or competing line.

SEC. 6. No railroad company organized under the laws of this State shall consolidate by private or judicial sale or otherwise with any railroad company organized under the laws of any other State or of the United States.

SEC. 7. No law shall be passed by the Legislature granting the right to construct and operate a street railroad within any city, town, or village, or upon any public highway, without first acquiring the consent of the local authorities having control of the street or highway proposed to be occupied by such street railroad.

SEC. 8. No railroad corporation in existence at the time of the adoption of this Constitution shall have the benefit of any future legislation, except on condition of complete acceptance of all the provisions of this Constitution applicable to railroads.

SEC. 9. No railroad hereafter constructed in this State shall pass within a distance of three miles of any county seat without passing through the same, and establishing and maintaining a depot therein, unless prevented by natural obstacles, such as streams, hills, or mountains; *provided*, such town or its citizens shall grant the right of way through its limits, and sufficient ground for ordinary depot purposes.

## ARTICLE XI.

### MUNICIPAL CORPORATIONS.

SECTION 1. The several counties of this State are hereby recognized as legal subdivisions of the State.

SEC. 2. The construction of jails, court-houses, and bridges, and the establishment of county poorhouses and farms, and the laying out, construction, and repairing of county roads shall be provided for by general laws.

SEC. 3. No county, city, or other municipal corporation shall hereafter become a subscriber to the capital of any private corporation or association, or make any appropriation or donation

to the same, or in any wise loan its credit; but this shall not be construed to in any way affect any obligation heretofore undertaken pursuant to law.

SEC. 4. Cities and towns having a population of ten thousand inhabitants, or less, may be chartered alone by general law. They may levy, assess, and collect an annual tax to defray the current expenses of their local government, but such tax shall never exceed, for any one year, one fourth of one per cent., and shall be collectible only in current money. And all license and occupation tax levied, and all fines, forfeitures, penalties, and other dues accruing to cities and towns, shall be collectible only in current money.

SEC. 5. Cities having more than ten thousand inhabitants may have their charters granted or amended by special act of the Legislature, and may levy, assess, and collect such taxes as may be authorized by law, but no tax for any purpose shall ever be lawful, for any one year, which shall exceed two and one half per cent. of the taxable property of such city; and no debt shall ever be created by any city, unless at the same time provision be made to assess and collect annually a sufficient sum to pay the interest thereon and create a sinking fund of at least two per cent. thereon.

SEC. 6. Counties, cities, and towns are authorized, in such mode as may now or may hereafter be provided by law, to levy, assess, and collect the taxes necessary to pay the interest and provide a sinking fund to satisfy any indebtedness heretofore legally made and undertaken; but all such taxes shall be assessed and collected separately from that levied, assessed, and collected for current expenses of municipal government, and shall when levied specify in the act of levying the purpose therefor; and such taxes may be paid in the coupons, bonds, or other indebtedness for the payment of which such tax may have been levied.

SEC. 7. All counties and cities bordering on the coast of the Gulf of Mexico are hereby authorized, upon a vote of two thirds of the tax-payers therein (to be ascertained as may be provided by law), to levy and collect such tax for construction of seawalls, breakwaters, or sanitary purposes, as may be authorized by law, and may create a debt for such works and issue bonds in evidence thereof. But no debt for any purpose shall ever be incurred in any manner by any city or county, unless provision is made, at the time of creating the same, for levying and collecting a sufficient tax to pay the interest thereon and provide at least two per cent. as a sinking fund; and the condemnation of the right of way for the erection of such works shall be fully provided for.

SEC. 8. The counties and cities on the Gulf coast being subject to calamitous overflows, and a very large proportion of the general revenue being derived from those otherwise prosperous localities, the Legislature is especially authorized to aid by donation of such portion of the public domain as may be deemed

proper, and in such mode as may be provided by law, the construction of sea-walls, or breakwaters, such aid to be proportioned to the extent and value of the works constructed, or to be constructed, in any locality.

SEC. 9. The property of counties, cities, and towns owned and held only for public purposes, such as public buildings and the sites therefor, fire engines and the furniture thereof, and all property used or intended for extinguishing fires, public grounds, and all other property devoted exclusively to the use and benefit of the public, shall be exempt from forced sale and from taxation; *provided*, nothing herein shall prevent the enforcement of the vendor's lien, the mechanic's or builder's lien, or other liens now existing.

SEC. 10. The Legislature may constitute any city or town a separate and independent school district. And when the citizens of any city or town have a charter, authorizing the city authorities to levy and collect a tax for the support and maintenance of a public institution of learning, such tax may hereafter be levied and collected, if at an election held for that purpose, two thirds of the tax-payers of such city or town shall vote for such tax.

## ARTICLE XII.

### PRIVATE CORPORATIONS.

SECTION 1. No private corporations shall be created except by general laws.

SEC. 2. General laws shall be enacted providing for the creation of private corporations, and shall therein provide fully for the adequate protection of the public and of the individual stockholders.

SEC. 3. The right to authorize and regulate freights, tolls, wharfage, or fares levied and collected or proposed to be levied and collected by individuals, companies, or corporations, for the use of highways, landings, wharves, bridges, and ferries, devoted to public use, has never been and shall never be relinquished or abandoned by the State, but shall always be under legislative control and depend upon legislative authority.

SEC. 4. The first Legislature assembled after the adoption of this Constitution shall provide a mode of procedure by the Attorney-general and District or County Attorneys, in the name and behalf of the State, to prevent and punish the demanding or collection of any and all charges as freight, wharfage, fares, or tolls, for the use of property devoted to the public, unless the same shall have been specially authorized by law.

SEC. 5. All laws granting the right to demand and collect freights, fares, tolls, or wharfage shall at all times be subject to amendment, modification, or repeal by the Legislature.

SEC. 6. No corporation shall issue stock or bonds except for money paid, labor done, or property actually received, and all fictitious increase of stock or indebtedness shall be void.

SEC. 7. Nothing in this Article shall be construed to divest or affect rights guaranteed by any existing grant or statute of this State, or of the Republic of Texas.

### ARTICLE XIII.

#### SPANISH AND MEXICAN LAND TITLES.

SECTION 1. All fines, penalties, forfeitures, and escheats, which have heretofore accrued to the Republic and State of Texas, under their constitutions and laws, shall accrue to the State under this Constitution; and the Legislature shall provide a method for determining what lands have been forfeited, and for giving effect to escheats; and all such rights of forfeiture and escheats to the State shall, *ipso facto*, inure to the protection of the innocent holders of junior titles, as provided in Sections 2, 3, and 4, of this Article.

SEC. 2. Any claim of title or right to land in Texas, issued prior to the 13th day of November, 1835, not duly recorded in the county where the land was situated at the time of such record, or not duly archived in the General Land Office, or not in the actual possession of the grantee thereof, or some person claiming under him, prior to the accruing of junior title thereto from the sovereignty of the soil, under circumstances reasonably calculated to give notice to said junior grantee, has never had, and shall not have, standing or effect against such junior title, or color of title, acquired without such or actual notice of such prior claim of title or right; and no condition annexed to such grants, not archived, or recorded, or occupied as aforesaid, has been, or ever *shall* be released or waived, but actual performance of all such conditions shall be proved by the person or persons claiming under such title or claim of right in order to maintain action thereon, and the holder of such junior title, or color of title, shall have all the rights of the government which have heretofore existed, or now exist, arising from the non-performance of all such conditions.

SEC. 3. Non-payment of taxes on any claim of title to land, dated prior to the 13th day of November, 1835, not recorded or archived, as provided in Section 2, by the person or persons so claiming, or those under whom he or they so claim, from that date up to the date of the adoption of this Constitution, shall be held to be a presumption that the right thereto has reverted to the State, and that said claim is a stale demand, which presumption shall only be rebutted by payment of all taxes on said lands, State, county, and city or town, to be assessed on the fair value of such lands by the Comptroller, and paid to him, without commutation or deduction for any part of the above period.

SEC. 4. No claim of title or right to land, which issued prior to the 13th day of November, 1835, which has not been duly recorded in the county where the land was situated at the time of such record, or which has not been duly archived in the



General Land Office, shall ever hereafter be deposited in the General Land Office, or recorded in this State, or delineated on the maps, or used as evidence in any of the courts of this State, and the same are stale claims; but this shall not effect such rights or presumptions as arise from actual possession. By the words, "duly recorded," as used in Sections 2 and 4 of this Article, it is meant that such claim of title or right to land shall have been recorded in the proper office, and that mere errors in the certificate of registration, or informality, not affecting the fairness and good faith of the holder thereof, with which the record was made, shall not be held to vitiate such record.

SEC. 5. All claims, locations, surveys, grants, and titles, of any kind, which are declared null and void by the Constitution of the Republic or State of Texas, are, and the same shall remain forever, null and void.

SEC. 6. The Legislature shall pass stringent laws for the detection and conviction of all forgers of land titles, and may make such appropriations of money for that purpose as may be necessary.

SEC. 7. Sections 2, 3, 4, and 5 of this Article shall not be so construed as to set aside or repeal any law or laws of the Republic or State of Texas, releasing the claimants of head-rights of colonists of a league of land, or less, from compliance with the conditions on which their grants were made.

## ARTICLE XIV.

### PUBLIC LANDS AND LAND OFFICE.

SECTION 1. There shall be one General Land Office in the State, which shall be at the Seat of Government, where all land titles which have emanated or may hereafter emanate from the State shall be registered, except those titles the registration of which may be prohibited by this Constitution. It shall be the duty of the Legislature at the earliest practicable time to make the Land Office self-sustaining, and from time to time the Legislature may establish such subordinate offices as may be deemed necessary.

SEC. 2. All unsatisfied genuine land certificates barred by Section 4, Article 10, of the Constitution of 1869, by reason of the holders or owners thereof failing to have them surveyed and returned to the Land Office by the first day of January, 1875, are hereby revived. All unsatisfied genuine land certificates now in existence shall be surveyed and returned to the General Land Office within five years after the adoption of this Constitution, or be forever barred; and all genuine land certificates hereafter issued by the State shall be surveyed and returned to the General Land Office within five years after issuance, or be forever barred; *provided*, that all genuine land certificates heretofore or hereafter issued shall be located, surveyed, or patented only upon

vacant and unappropriated public domain, and not upon any land titled or equitably owned under color of title from the sovereignty of the State, evidence of the appropriation of which is on the county records or in the General Land Office; or when the appropriation is evidenced by the occupation of the owner, or of some person holding for him.

SEC. 3. The Legislature shall have no power to grant any of the lands of this State to any railway company except upon the following restrictions and conditions:

*First.*—That there shall never be granted to any such corporation more than sixteen sections to the mile, and no reservation of any part of the public domain for the purpose of satisfying such grant shall ever be made.

*Second.*—That no land certificate shall be issued to such company until they have equipped, constructed, and in running order at least ten miles of road; and on failure of such company to comply with the terms of its charter, or to alienate its land at a period to be fixed by law, in no event to exceed twelve years from the issuance of the patent, all said land shall be forfeited to the State and become a portion of the public domain, and liable to location and survey. The Legislature shall pass general laws only, to give effect to the provisions of this section.

SEC. 4. No certificate for land shall be sold at the Land Office except to actual settlers upon the same, and in lots not to exceed one hundred and sixty acres.

SEC. 5. All lands heretofore or hereafter granted to railway companies, where the charter or law of the State required or shall hereafter require their alienation within a certain period, on pain of forfeiture, or is silent on the subject of forfeiture, and which lands have not been or shall not hereafter be alienated, in conformity with the terms of their charters, and the laws under which the grants were made, are hereby declared forfeited to the State and subject to pre-emption, location, and survey, as other vacant lands. All lands heretofore granted to said railroad companies, to which no forfeiture was attached on their failure to alienate, are not included in the foregoing clause; but in all such last-named cases it shall be the duty of the Attorney-general, in every instance where alienations have been or hereafter may be made, to inquire into the same, and if such alienation has been made in fraud of the rights of the State, and is colorable only, the real and beneficial interest being still in such corporation, to institute legal proceedings in the county where the Seat of Government is situated, to forfeit such lands to the State, and if such alienation be judicially ascertained to be fraudulent and colorable as aforesaid, such lands shall be forfeited to the State and become a part of the vacant public domain, liable to pre-emption, location, and survey.

SEC. 6. To every head of a family without a homestead there shall be donated one hundred and sixty acres of public land,

upon condition that he will select and locate said land, and occupy the same three years, and pay the office fees due thereon. To all single men of eighteen years of age and upward shall be donated eighty acres of public land, upon the terms and conditions prescribed for heads of families.

SEC. 7. The State of Texas hereby releases to the owner or owners of the soil all mines and minerals that may be on the same, subject to taxation as other property.

SEC. 8. Persons residing between the Nueces River and the Rio Grande, and owning grants of land which emanated from the government of Spain, or that of Mexico, which grants have been recognized and validated by the State, by acts of the Legislature, approved February 10, 1852, August 15, 1870, and other acts, and who have been prevented from complying with the requirements of said acts by the unsettled condition of the country, shall be allowed until the first day of January, 1880, to complete their surveys, and the plots thereof, and to return their field-notes to the General Land Office; and all claimants failing to do so shall be forever barred; *provided*, nothing in this section shall be so construed as to validate any titles not already valid, or to interfere with the rights of third persons.

## ARTICLE XV.

### IMPEACHMENT.

SECTION 1. The power of impeachment shall be vested in the House of Representatives.

SEC. 2. Impeachment of the Governor, Lieutenant-governor, Attorney-general, Treasurer, Commissioner of the General Land Office, Comptroller, and the Judges of the Supreme Court, Court of Appeals, and District Court, shall be tried by the Senate.

SEC. 3. When the Senate is sitting as a Court of Impeachment, the Senators shall be on oath, or affirmation, impartially to try the party impeached, and no person shall be convicted without the concurrence of two thirds of the Senators present.

SEC. 4. Judgment in cases of impeachment shall extend only to removal from office, and disqualification from holding any office of honor, trust, or profit, under this State. A party convicted on impeachment shall also be subject to indictment, trial, and punishment, according to law.

SEC. 5. All officers against whom articles of impeachment may be preferred shall be suspended from the exercise of the duties of their office, during the pendency of such impeachment. The Governor may make a provisional appointment to fill the vacancy occasioned by the suspension of an officer, until the decision on the impeachment.

SEC. 6. Any Judge of the District Courts of the State who is incompetent to discharge the duties of his office, or who shall be guilty of partiality, or oppression, or other official miscon-

duct, or whose habits and conducts are such as to render him unfit to hold such office, or who shall negligently fail to perform his duties as judge, or who shall fail to execute in a reasonable measure the business in his courts, may be removed by the Supreme Court. The Supreme Court shall have original jurisdiction to hear and determine the causes aforesaid when presented in writing upon the oaths, taken before some Judge of a Court of Record, of not less than ten lawyers, practicing in the courts held by such judge, and licensed to practice in the Supreme Court; said presentment to be founded either upon the knowledge of the persons making it or upon the written oaths as to the facts of creditable witnesses.

The Supreme Court may issue all needful process and prescribe all needful rules to give effect to this section. Causes of this kind shall have precedence and be tried as soon as practicable.

SEC. 7. The Legislature shall provide by law for the trial and removal from office of all officers of this State, the modes for which have not been provided in this Constitution.

#### ADDRESS.

SEC. 8. The Judges of the Supreme Court, Court of Appeals, and District Courts, shall be removed by the Governor on the address of two thirds of each House of the Legislature, for willful neglect of duty, incompetency, habitual drunkenness, oppression in office, or other reasonable cause which shall not be sufficient ground for impeachment; *provided, however*, that the cause or causes for which such removal shall be required shall be stated at length in such address and entered on the journals of each House; *and provided further*, that the cause or causes shall be notified to the judge so intended to be removed, and he shall be admitted to a hearing in his own defense before any vote for such address shall pass; and in all such cases, the vote shall be taken by yeas and nays, and entered on the journals of each House respectively.

### ARTICLE XVI.

#### GENERAL PROVISIONS.

SECTION 1. Members of the Legislature, and all officers, before they enter upon the duties of their offices, shall take the following oath or affirmation: "I (—) do solemnly swear (or affirm), that I will faithfully and impartially discharge and perform all the duties incumbent upon me as —, according to the best of my skill and ability, agreeably to the Constitution and laws of the United States and of this State; and I do further solemnly swear (or affirm), that since the adoption of the Constitution of this State, I, being a citizen of this State, have not fought a duel with deadly weapons, within this State nor out

of it, nor have I sent or accepted a challenge to fight a duel with deadly weapons, nor have I acted as second in carrying a challenge, or aided, advised, or assisted any person thus offending. And I furthermore solemnly swear (or affirm), that I have not directly, nor indirectly paid, offered, or promised to pay, contributed nor promised to contribute any money, or valuable thing, or promised any public office or employment, as a reward for the giving or withholding a vote at the election at which I was elected (or if the office is one of appointment, to secure my appointment). So help me God."

SEC. 2. Laws shall be made to exclude from office, serving on juries, and from the right of suffrage, those who may have been or shall hereafter be convicted of bribery, perjury, forgery, or other high crimes. The privilege of free suffrage shall be protected by laws regulating elections, and prohibiting under adequate penalties all undue influence therein from power, bribery, tumult, or other improper practice.

SEC. 3. The Legislature shall make provisions whereby persons convicted of misdemeanors and committed to the county jails in default of payment of fines and costs, shall be required to discharge such fines and costs by manual labor, under such regulations as may be prescribed by law.

SEC. 4. Any citizen of this State who shall, after the adoption of this Constitution, fight a duel with deadly weapons, or send or accept a challenge to fight a duel with deadly weapons, either within this State or out of it, or who shall act as second, or knowingly assist in any manner those thus offending, shall be deprived of the right of suffrage, or of holding any office of trust or profit under this State.

SEC. 5. Every person shall be disqualified from holding any office of profit or trust in this State who shall have been convicted of having given or offered a bribe to procure his election or appointment.

SEC. 6. No appropriation for private or individual purposes shall be made. A regular statement, under oath, and an account of the receipts and expenditures of all public money shall be published annually, in such manner as shall be prescribed by law.

SEC. 7. The Legislature shall, in no case, have power to issue "Treasury Warrants," "Treasury Notes," or paper of any description intended to circulate as money.

SEC. 8. Each county in the State may provide, in such manner as may be prescribed by law, a manual-labor poorhouse and farm, for taking care of, managing, employing, and supplying the wants of its indigent and poor inhabitants.

SEC. 9. Absence on business of the State, or of the United States, shall not forfeit a residence once obtained, so as to deprive any one of the right of suffrage, or of being elected or appointed to any office, under the exceptions contained in this Constitution.

SEC. 10. The Legislature shall provide for deductions from

the salaries of public officers who may neglect the performance of any duty that may be assigned them by law.

SEC. 11. All contracts for a greater rate of interest than ten per centum per annum shall be deemed usurious, and the first Legislature after this amendment is adopted shall provide appropriate pains and penalties to prevent the same; but when no rate of interest is agreed upon, the rate shall not exceed six per centum per annum.

SEC. 12. No member of Congress, nor person holding or exercising any office of profit or trust under the United States, or either of them, or under any foreign power, shall be eligible as a member of the Legislature, or hold or exercise any office of profit or trust under this State.

SEC. 13. It shall be the duty of the Legislature to pass such laws as may be necessary and proper to decide differences by arbitration, when the parties shall elect that method of trial.

SEC. 14. All civil officers shall reside within the State; and all district or county officers within their districts or counties, and shall keep their offices at such places as may be required by law; and failure to comply with this condition shall vacate the office so held.

SEC. 15. All property, both real and personal, of the wife, owned or claimed by her before marriage, and that acquired afterward by gift, devise, or descent, shall be her separate property; and laws shall be passed more clearly defining the rights of the wife, in relation as well to her separate property as that held in common with her husband. Laws shall also be passed providing for the registration of the wife's separate property.

SEC. 16. No corporate body shall hereafter be created, renewed, or extended with banking or discounting privileges.

SEC. 17. All officers within this State shall continue to perform the duties of their offices until their successors shall be duly qualified.

SEC. 18. The rights of property and of action which have been acquired under the Constitution and the laws of the Republic and State shall not be divested; nor shall any rights or actions which have been divested, barred, or declared null and void by the Constitution of the Republic and State, be re-invested, renewed, or re-instated by this Constitution; but the same shall remain precisely in the situation in which they were before the adoption of this Constitution, unless otherwise herein provided; and provided further, that no cause of action heretofore barred shall be revived.

SEC. 19. The Legislature shall prescribe by law the qualification of grand and petit jurors.

SEC. 20. The Legislature shall, at its first session, enact a law whereby the qualified voters of any county, justice's precinct, town, or city (or such subdivision of a county as may be designated by the Commissioners' Court of said county) may, by a majority vote, determine, from time to time, whether the sale



of intoxicating liquors shall be prohibited within the prescribed limits.

SEC. 21. All stationery and printing, except proclamations and such printing as may be done at the Deaf and Dumb Asylum, paper, and fuel used in the legislative and other departments of the government, except the judicial department, shall be furnished, and the printing and binding of the laws, journals, and department reports, and all other printing and binding, and the repairing and furnishing the halls and rooms used for the meeting of the Legislature, and its committees, shall be performed under contract, to be given to the lowest responsible bidder, below such maximum price and under such regulations as shall be prescribed by law. No member or officer of any department of the government shall be in any way interested in such contracts; and all such contracts shall be subject to the approval of the Governor, Secretary of State and Comptroller.

SEC. 22. The Legislature shall have the power to pass such fence laws, applicable to any subdivision of the State, or counties, as may be needed to meet the wants of the people.

SEC. 23. The Legislature may pass laws for the regulation of live stock and the protection of stock-raisers in the stock-raising portion of the State, and exempt from the operation of such laws other portions, sections, or counties; and shall have power to pass general and special laws for the inspection of cattle, stock, and hides, and for the regulation of brands; *provided*, that any local law thus passed shall be submitted to the freeholders of the section to be affected thereby, and approved by them, before it shall go into effect.

SEC. 24. The Legislature shall make provision for laying out and working public roads, for the building of bridges, and for utilizing fines, forfeitures, and convict labor to all these purposes.

SEC. 25. That all drawbacks and rebatement of insurance, freight, transportation, carriage, wharfage, storage, compressing, bailing, repairing, or for any other kind of labor or service, of or to any cotton, grain, or any other produce or article of commerce in this State, paid, or allowed, or contracted for to any common carrier, shipper, merchant, commission merchant, factor, agent, or middle-man of any kind, not the true and absolute owner thereof, are forever prohibited, and it shall be the duty of the Legislature to pass effective laws punishing all persons in this State who pay, receive, or contract for or respecting the same.

SEC. 26. Every person, corporation, or company that may commit a homicide, through willful act, or omission, or gross neglect, shall be responsible, in exemplary damages, to the surviving husband, wife, heirs of his or her body, or such of them as there may be, without regard to any criminal proceeding that may or may not be had in relation to the homicide.

SEC. 27. In all elections to fill vacancies of office in this State, it shall be to fill the unexpired term only.

SEC. 28. No current wages for personal service shall ever be subject to garnishment.

SEC. 29. The Legislature shall provide by law for defining and punishing barratry.

SEC. 30. The duration of all offices not fixed by this Constitution shall never exceed two years; *provided*, that when a railroad commission is created by law it shall be composed of three commissioners, who shall be elected by the people at a general election for State officers, and their terms of office shall be six years; *provided*, railroad commissioners first elected after this Amendment goes into effect shall hold office as follows: One shall serve two years, and one four years, and one six years, their terms to be decided by lot immediately after they shall have qualified. And one railroad commissioner shall be elected every two years thereafter. In case of vacancy in said office, the Governor of the State shall fill said vacancy by appointment until the next general election. [See amendment, page 402.]

SEC. 31. The Legislature may pass laws prescribing the qualifications of practitioners of medicine in this State, and to punish persons for malpractice, but no preference shall ever be given by law to any school of medicine.

SEC. 32. The Legislature may provide by law for the establishment of a Board of Health and Vital Statistics, under such rules and regulations as it may deem proper.

SEC. 33. The accounting officers of this State shall neither draw nor pay a warrant upon the treasury in favor of any person for salary or compensation as agent, officer, or appointee, who holds at the same time any other office or position of honor, trust, or profit under this State or the United States, except as prescribed in this Constitution.

SEC. 34. The Legislature shall pass laws authorizing the Governor to lease or sell to the government of the United States a sufficient quantity of the public domain of the State, necessary for the erection of forts, barracks, arsenals, and military stations, or camps, and for other needful military purposes; and the action of the Governor therein shall be subject to the approval of the Legislature.

SEC. 35. The Legislature shall, at its first session, pass laws to protect laborers on public buildings, streets, roads, railroads, canals, and other similar public works, against the failure of contractors and sub-contractors to pay their current wages when due, and to make the corporation, company, or individual for whose benefit the work is done, responsible for their ultimate payment.

SEC. 36. The Legislature shall, at its first session, provide for the payment, or funding, as they may deem best, of the amounts found to be justly due to the teachers in the public schools, by the State, for service rendered prior to the first day of July, 1873, and for the payment by the school districts in the State of amounts justly due teachers of public schools by such districts to January, 1876.

SEC. 37. Mechanics, artisans, and material men, of every class, shall have a lien upon the buildings and articles made or repaired by them, for the value of their labor done thereon, or material furnished therefor; and the Legislature shall provide by law for the speedy and efficient enforcement of said liens.

SEC. 38. The Legislature may, at such time as the public interest may require, provide for the office of Commissioner of Insurance, Statistics, and History, whose term of office, duties, and salary shall be prescribed by law.

SEC. 39. The Legislature may, from time to time, make appropriations for preserving and perpetuating memorials of the history of Texas, by means of monuments, statues, printing, and documents of historical value.

SEC. 40. No person shall hold or exercise, at the same time, more than one civil office of emolument, except that of Justice of the Peace, County Commissioner, Notary Public, and Postmaster, unless otherwise specially provided herein.

SEC. 41. Any person who shall, directly or indirectly, offer, give, or promise any money or thing of value, testimonial, privilege, or personal advantage, to any executive or judicial officer or member of the Legislature, to influence him in the performance of any of his public or official duties, shall be guilty of bribery, and be punished in such manner as shall be provided by law. And any member of the Legislature, or executive or judicial officer who shall solicit, demand, or receive, or consent to receive, directly or indirectly, for himself or for another, from any company, corporation, or person, any money, appointment, employment, testimonial, reward, thing of value or employment, or of personal advantage or promise thereof, for his vote or official influence, or for withholding the same, or with any understanding, expressed or implied, that his vote or official action shall be in any way influenced thereby, or who shall solicit, demand, and receive any such money or other advantage, matter, or thing aforesaid for another, as the consideration of his vote or official influence, in consideration of the payment or promise of such money, advantage, matter, or thing to another, shall be held guilty of bribery, within the meaning of the Constitution, and shall incur the disabilities provided for said offenses, with a forfeiture of the office they may hold, and such other additional punishment as is or shall be provided by law.

SEC. 42. The Legislature may establish an Inebriate Asylum for the cure of drunkenness and reform of inebriates.

SEC. 43. No man or set of men shall ever be exempted, relieved, or discharged from the performance of any public duty or service imposed by general law; by any special law. Exemptions from the performance of such public duty or service shall only be made by general law.

SEC. 44. The Legislature shall prescribe the duties, and provide for the election by the qualified voters of each county in this State, of a County Treasurer and a County Surveyor, who shall have an office at the county seat, and hold their office for

two years, and until their successors are qualified; and shall have such compensation as may be provided by law.

SEC. 45. It shall be the duty of the Legislature to provide for collecting, arranging, and safely keeping such records, rolls, correspondence, and other documents, civil and military, relating to the history of Texas, as may be now in the possession of parties willing to confide them to the care and preservation of the State.

SEC. 46. The Legislature shall provide by law for organizing and disciplining the militia of the State, in such manner as they shall deem expedient, not incompatible with the Constitution and the laws of the United States.

SEC. 47. Any person who conscientiously scruples to bear arms shall not be compelled to do so, but shall pay an equivalent for personal service.

SEC. 48. All laws and parts of laws now in force in the State of Texas, which are not repugnant to the Constitution of the United States, or to this Constitution, shall continue and remain in force as the laws of this State, until they expire by their own limitation or shall be amended or repealed by the Legislature.

SEC. 49. The Legislature shall have power, and it shall be its duty, to protect by law from forced sale a certain portion of the personal property of all heads of families, and also of unmarried adults, male and female.

SEC. 50. The homestead of a family shall be, and is hereby protected from forced sale for the payment of all debts, except for the purchase-money thereof, or a part of such purchase-money, the taxes due thereon, or for work and material used in constructing improvements thereon, and in this last case only when the work and material are contracted for in writing, with the consent of the wife, given in the same manner as is required in making a sale and conveyance of the homestead; nor shall the owner, if a married man, sell the homestead without the consent of the wife, given in such manner as may be prescribed by law. No mortgage, trust deed, or other lien on the homestead shall ever be valid, except for the purchase-money therefor, or improvements made thereon, as hereinbefore provided, whether such mortgage, or trust deed, or other lien shall have been created by the husband alone, or together with his wife; and all pretended sales of the homestead involving any condition of defeasance shall be void.

SEC. 51. The homestead, not in a town or city, shall consist of not more than two hundred acres of land, which may be in one or more parcels, with the improvements thereon; the homestead in a city, town, or village shall consist of lot, or lots, not to exceed in value five thousand dollars, at the time of their designation as the homestead, without reference to the value of any improvements thereon; *provided*, that the same shall be used for the purposes of a home, or as a place to exercise the calling or business of the head of a family; *provided also*, that

any temporary renting of the homestead shall not change the character of the same, when no other homestead has been acquired.

SEC. 52. On the death of the husband or wife, or both, the homestead shall descend and vest in like manner as other real property of the deceased, and shall be governed by the same laws of descent and distribution, but it shall not be partitioned among the heirs of the deceased during the lifetime of the surviving husband or wife, or so long as the survivor may elect to use or occupy the same as a homestead, or so long as the guardian of the minor children of the deceased may be permitted, under the order of the proper court having the jurisdiction, to use and occupy the same.

SEC. 53. That no inconvenience may arise from the adoption of this Constitution, it is declared that all process and writs of all kinds which have been or may be issued and not returned or executed when this Constitution is adopted, shall remain valid, and shall not be in any way affected by the adoption of this Constitution.

SEC. 54. It shall be the duty of the Legislature to provide for the custody and maintenance of indigent lunatics, at the expense of the State, under such regulations and restrictions as the Legislature may prescribe.

SEC. 55. The Legislature may provide annual pensions, not to exceed one hundred and fifty dollars per annum, to surviving soldiers or volunteers, in the war between Texas and Mexico, from the commencement of the revolution in 1835, until the first of January, 1837; and also to the surviving signers of the Declaration of Independence of Texas; and to the surviving widows continuing unmarried of such soldiers and signers; *provided*, that no such pension be granted except to those in indigent circumstances, proof of which shall be made before the County Court of the county where the applicant resides, in such manner as may be provided by law.

SEC. 56. The Legislature shall have no power to appropriate any of the public money for the establishment and maintenance of a bureau of immigration, or for any purpose of bringing immigrants to this State.

SEC. 57. Three millions acres of the public domain are hereby appropriated and set apart for the purpose of erecting a new State capitol and other necessary public buildings at the seat of government, said lands to be sold under the direction of the Legislature; and the Legislature shall pass suitable laws to carry this section into effect.

## ARTICLE XVII.

### MODE OF AMENDING THE CONSTITUTION OF THIS STATE.

SECTION 1. The Legislature, at any biennial session, by a vote of two thirds of all the members elected to each House, to



be entered by yeas and nays on the journals, may propose amendments to the Constitution, to be voted upon by the qualified electors for members of the Legislature, which proposed amendments shall be duly published once a week for four weeks, commencing at least three months before an election, the time of which shall be specified by the Legislature, in one weekly newspaper of each county, in which such a newspaper may be published; and it shall be the duty of the several returning officers of said election to open a poll for, and make returns to the Secretary of State, of the number of legal votes cast at said election for and against said amendments; and if more than one be proposed, then the number of votes cast for and against each of them; and if it shall appear from said return that a majority of the votes cast have been cast in favor of any amendment, the said amendment so receiving a majority of the votes cast shall become a part of this Constitution, and proclamation shall be made by the Governor thereof.

AMENDMENT DECLARED ADOPTED DECEMBER 21, 1894.

ART. XVI.—SECTION 30. The duration of all offices not fixed by this Constitution shall never exceed two years; *Provided*, that when a railroad commission is created by law it shall be composed of three commissioners, who shall be elected by the people at a general election for State officers, and their terms of office shall be six years: *Provided*, railroad commissioners first elected after this amendment goes into effect shall hold office as follows: One shall serve two years, and one four years, and one six years, their terms to be decided by lot, immediately after they shall have qualified. And one railroad commissioner shall be elected every two years thereafter. In case of vacancy in said office, the Governor of the State shall fill said vacancy by appointment until the next general election.

AMENDMENT DECLARED ADOPTED DECEMBER 1, 1898.

ART. III.—SECTION 51. The Legislature shall have no power to make any grant or authorize the making of any grant of public money to any individual, associations of individuals, municipal or other corporation whatsoever: *Provided, however*, the Legislature may grant aid to indigent and disabled Confederate soldiers and sailors who came to Texas prior to January 1, 1880, and who are either over sixty years of age, or whose disability is the proximate result of actual service in the Confederate army for a period of at least three months, their widows in indigent circumstances who have never remarried, and who have been *bona fide* residents of the State of Texas since March 1, 1880, and who were married to such soldiers or sailors anterior to March 1, 1866; *Provided*, said aid shall not exceed eight dollars per month; *And provided further*, that no appropriation shall ever be made for the purpose hereinbefore specified in excess of \$250,000 for any one year; and also grant aid to the establishment and maintenance of a home for said soldiers and sailors, under such regulations and limitations as may be provided by law; *Provided*, the grant to aid said home shall not exceed \$100,000 for any one year; and no inmate of said home shall be entitled to any other aid from the State; *And provided further*, that the provisions of this section shall not be construed to prevent the grant of aid in case of public calamity.

AMENDMENT DECLARED ADOPTED DECEMBER 26, 1902.

ART. VI.—SECTION 2. Every male person subject to none of the foregoing disqualifications, who shall have attained the age of twenty-one years, and who shall be a citizen of the United States, and who shall



have resided in this State one year next preceding an election, and the last six months within the district or county in which he offers to vote, shall be deemed a qualified elector; and every male person of foreign birth subject to none of the foregoing disqualifications, who, not less than six months before any election at which he offers to vote, shall have declared his intention to become a citizen of the United States in accordance with the Federal Naturalization Laws, and shall have resided in this State one year next preceding such election and the last six months in the county in which he offers to vote, shall also be deemed a qualified elector; and all electors shall vote in the election precinct of their residence; *Provided*, that all electors living in any unorganized county may vote at any election precinct in the county to which such county is attached for judicial purposes; *And provided further*, that any voter who is subject to pay a poll-tax under the laws of the State of Texas shall have paid said tax before he offers to vote at any election in this State, and hold a receipt showing his poll-tax paid before the first day of February next preceding such election. Or if said voter shall have lost or misplaced said tax receipt, he shall be entitled to vote upon making affidavit before any officer authorized to administer oaths that such tax receipt has been lost. Such affidavit shall be made in writing and left with the judge of the election, and this provision of the Constitution shall be self-enacting without the necessity of further legislation.

AMENDMENTS ADOPTED NOVEMBER, 1904.

ART. III.—PAR. 52. The Legislature shall have no power to authorize any county, city, town or other political corporation or subdivision of the State to lend its credit or grant public money or thing of value in aid of, or to any individual, association or corporation whatsoever, or to become a stockholder in such corporation, association or company, *provided*, however, that under legislative provision any county, any political subdivision of a county, any number of adjoining counties, or any political subdivision of the State, or any defined district now or hereafter to be described and defined within the State of Texas, and which may or may not include towns, villages or municipal corporations, upon a vote of a two-thirds majority of the resident property taxpayers voting thereon who are qualified electors of such district or territory to be affected thereby, in addition to all other debts, may issue bonds or otherwise lend its credit in any amount not to exceed one-fourth of the assessed valuation of the real property of such district or territory, except that the total bonded indebtedness of any city, or town shall never exceed the limits imposed by other provisions of this Constitution, and levy and collect such taxes to pay the interest thereon and provide a sinking fund for the redemption thereof, as the Legislature may authorize, and in such manner as it may authorize the same, for the following purposes, to-wit:

(a) The improvement of rivers, creeks and streams to prevent overflows, and to permit of navigation thereof, or irrigation thereof, or in aid of such purposes.

(b) The construction and maintenance of pools, lakes, reservoirs, dams, canals and waterways for the purposes of irrigation, drainage or navigation, or in aid thereof.

(c) The construction, maintenance and operation of macadamized, graveled or paved roads and turnpikes, or in aid thereof.

ART. XVI.—PAR. 16. The Legislature shall, by general laws, authorize the corporation of corporate bodies with banking and discounting privileges, and shall provide for a system of State supervision, regulation, and control of such bodies which will adequately protect and secure the depositors and creditors thereof.

Each shareholder of such corporate body incorporated in this State, so long as he owns shares therein, and for twelve months after the date of any *bona-fide* transfer thereof shall be personally liable for all debts of such corporate body existing at the date of such transfer, to an amount additional to the par value of such shares so owned or transferred, equal to the par value of such shares so owned or transferred.

No such corporate body shall be chartered until all of the authorized capital stock has been subscribed and paid for in full in cash. Such body

corporate shall not be authorized to engage in business at more than one place, which shall be designated in its charter.

No foreign corporation, other than the National banks of the United States, shall be permitted to exercise banking or discounting privileges in this State.

ART. III.—PAR. 51. The Legislature shall have no power to make any grant or authorize the making of any grant of public money to any individual, associations or individuals, municipal or other corporations whatsoever; *Provided, however,* the Legislature may grant aid to indigent and disabled Confederate soldiers and sailors, who came to Texas prior to January 1st, 1880, and who are either over sixty years of age or whose disability is the proximate result of actual service in the Confederate army for a period of at least three months, their widows in indigent circumstances, who have never re-married and who have been *bona-fide* residents of the State of Texas, since March 1st, 1880, and who were married to such soldiers or sailors anterior to March 1st, 1880; *Provided,* said aid shall not exceed eight dollars per month; *And provided further,* that no appropriation shall ever be made for the purposes hereinafter specified in excess of five hundred thousand dollars for any one year. And also grant aid to the establishment and maintenance of a home for said soldiers and sailors, under such regulations and limitations as may be provided by law; *Provided,* the grant to aid said homes shall not exceed one hundred thousand dollars per any one year, and no inmate of said home shall be entitled to any other aid from the State, *And provided further,* that the provision of this section shall not be construed to prevent the grant of aid in case of public calamity.

#### AMENDMENT ADOPTED NOVEMBER, 1906.

ART. VIII.—SECTION 2. All occupation taxes shall be equal and uniform upon the same class of subjects within the limits of the authority levying the tax, but the Legislature may, by general laws, exempt from taxation public property used for public purposes, actual places of religious worship, places of burial not held for private or corporate profit; all buildings used exclusively and owned by persons or associations of persons for school purposes and the necessary furniture of all schools, also the endowment funds of such institutions of learning and religion not used with a view to profit and when the same are invested in bonds or mortgages or in land or other property which has been and shall hereafter be brought in by such institution under foreclosure sales made to satisfy or protect such bonds or mortgages; that such exemption of such land and property shall continue only for two years after the purchase of the same at such sale by said institution and no longer; and institutions of purely public charity; and all laws exempting property from taxation other than the property above mentioned shall be null and void.

ART. VIII.—SECTION 9. The State tax on property, exclusive of the tax necessary to pay the public debt, and of the taxes provided for the benefit of the public free schools, shall never exceed thirty-five cents on the one hundred dollars valuation; and no county, city, or town shall levy more than twenty-five cents for city or county purposes, and not exceeding fifteen cents for roads and bridges, and not exceeding fifteen cents to pay jurors, on the one hundred dollars valuation, except for the payment of debts incurred prior to the adoption of the amendment September 25th, 1883, and for the erection of public buildings, streets, sewers, water works and other permanent improvements, not to exceed twenty-five cents on the one hundred dollars valuation, in any one year, and except as in this Constitution otherwise provided; and the Legislature may also authorize an additional *ad valorem* tax to be levied and collected for the further maintenance of the public roads; *Provided,* that a majority of the qualified property tax-paying voters of the county voting at an election to be held for that purpose shall vote such tax, not to exceed fifteen cents on the one hundred dollars valuation of the property subject to taxation in such county.

And the Legislature may pass local laws for the maintenance of the public roads and highways, without the local notice required for special or local laws.

## PRONUNCIATION.

Aguayo (a-guä'-yo).  
 Ahumada (ä-ü-mä'dä).  
 "Aimable" (ä-mä'blē).  
 Alamo (ä'lä-mō).  
 Alazan (ä-lä-sän').  
 Almonte (äl-mon'tä).  
 Alvarez (äl'vä-räs).  
 Amat (ah-mä't).  
 Anahuac (ä-nä-wäk').  
 Anastase (ä-näs'täs).  
 Anaya (ä-nä'yä).  
 Andrade (än-drä'dä).  
 Arista (ä-rēs'tä).  
 Arredondo (är-rä-don'dō).  
 Arroyo Hondo (är-rō'yō'ōn'dō).  
     ä-yun-tä-mī-ēn'tō).  
 Barataria (bü-rä-tä'rē-ä).  
 Bayou (bī'ōō).  
 Beaujeu (bō-zhūh').  
 Bexar (bä-här').  
 Bustamante (boos-tä-män'tä).  
 Canales (kä-nä'läs).  
 Capistrano (kä-pē-strä'nō).  
 Carbajal (kär-bä-häl').  
 Castenado (käs-tä-nä'dō).  
 Coahuila (kō-ä-wēē'lä).  
 Coletto (coh-láy-toe).  
 Coronado (kor-ō-nä'dō).  
 Cos (cōss).  
 Coushatta (koo-shät'ta).  
 Creve Coeur (krēv-kēr).  
 Crozat (crō-zä').

Delgado (däl-gä'dō).  
 De León (lä-ōn').  
 De Tonti (dä ton'tē).  
 Duhaut (dū-hō').  
 Elizondo (ä-lē-son'dō).  
 Espada (ä-spä'dä).  
 Espejo (äs-pä'hō).  
 Espiritu (es-pē'rē-tōō).  
 Filisola (fē-lē-sō'lä).  
 Flores (flō'rēs).  
 Gachupin (gä-chu-pīn).  
 Galvez (gäl'vāth).  
 Grito (grē'tō).  
 Guadalupe (gwä-dä-lū'pā).  
 Guerrero (garrē'ro).  
 Guizot (gwe-zo').  
 Gutierrez (gōō-tē ēr'ēs).  
 Hacienda (ä-the-ēn'dä).  
 Herrera (är-rä'rä).  
 Hidalgo (ē-däl'gō).  
 Huicar (wēē-kär).  
 Iturbide (ē-toor-bē'dä).  
 Jean (zhon).  
 Jose (hō-sē').  
 Joutel (zhōō-tīl').  
 La Bahia (lä bä-ē'ä).  
 Lafitte (lä-fēt').

La Salle (lä-säl').

Lavaca (la-väk'a).

Liotot (lē-ō'tō).

Madero (mä-dä'rō).

Manitou (man'i-tō).

Margil (mär-jēl').

Marina (mä-rē'nä).

Martinez (mar-tee'-nēth).

Menchaco (mēn-chä'cō).

Mexía (may-hee'-ah).

Mier (mé'-i).

Mina (mē'nä).

Moranget (mör-än-jä').

Morelos (mō-rālōs).

Nachitoches (nak-i-tosh').

Nassonite (näs-son-ē'tā).

Narvaez (när-vä'eth).

Neches (nech'ez).

Padua (pad'ū-ä).

Pedrazo (pā-drä'zō).

Pedro (pā'drō).

Perote (pā-rō'tā).

Piedras (pē-ä'dräs).

Plaza (plä'zä).

Presidio (prä-sē'dē-ō).

Rafael (rä-fü-ēl).

Refugio (rä-foo'jē-ō).

Regidore (rä-hē-dör').

Rosalis (rō-sä'lēs).

Rouen (rō-on').

St. Denis (dē-ne').

Salcedo (säl-sä'dō).

Saltillo (säl-tēl'yō).

Saligny (sä-lī-nyē').

San Felipe (sän fā-lē'pā).

San Juan (sän wän).

San Patricio (sän pä-trēs-ē-ō).

Sante Fe (fā).

Santiago (sän-tē-ä'gō).

Sindico (sin-dē'kō).

Tamaulipas (tä-mow-lē'päs).

Teran (tā-rän').

Terre (tär).

Toledo (tō-lä'dō).

Tortillas (tor-teel'yäs).

Trespalacios (trēs-pä-lü'sē-ōs).

Ugartechia (oo-gär-tä-chē'ä).

Urrea (oo-rä'ä).

Valero (vä-lä'rō).

Vasquez (váss-kess).

Valladolid (väl-yä-THō-lēTH').

Versailles (vēr-sälz').

Vicente (ve-sēn'tā).

Viesca (vē-ās'kä).

Zacatecas (zä-kü-tä'käs).

Zavala (zä-vä'lä).

# INDEX

- Adams, John Quincy, 93.  
Agricultural and Mechanical College, 253.  
Aguayo, 14.  
Ahumada, 72.  
Aimable, 5, 6.  
Alamán, Lucas, 94, 310.  
Alamo Mission, 25, 26, 277.  
Alamo Monuments, 134.  
Alamo, Origin of Name, 298.  
Alamo, Siege of, 128-134.  
Alarcon, Martin de, 14.  
Alazan, Battle of the, 42.  
Alcalde, 70, 74.  
Alcantro, Battle of, 203.  
Alien Land Law, 264.  
Almonte, 152.  
Alvarez, Señora, 324.  
Amat, 147.  
Ampudia, 203.  
Anahuac, 97, 98, 114.  
Anderson, K. L., 212.  
Andrews, Richard, 119, 317.  
Annexation, 191, 198, 210-213.  
Anti-trust Laws, 268.  
Anti-pass Law, 280.  
Arbitration Law, 268.  
Archer, B. J., 98, 119, 310.  
Archer, P. C., 333.  
Archive War, 200.  
Arista, 107.  
Armistice, 208.  
Armstrong, F. C., 333.  
Arredondo, 43, 302.  
Arroyo, Hondo, 39, 299.  
Asinais Indians, 12.  
Asylums, 232, 262, 277.  
Aury, Louis, 302.  
Austin City, 345.  
Austin, John, 99, 100, 311.  
Austin, Moses, 59, 305.  
Austin, Stephen F., 60-66, 104-115, 186-189, 306-309, 316.  
Ayuntamiento, 74.  
Bagby, A. P., 333.  
Bailey, Joseph W., 341, 346.  
Baker, Capt., 147.  
Baker, B. M., 343.  
Banks, General, 241, 242.  
Barataria, 45.  
Barker, Eugene, 33, 52, 76, 166, 172, 215.  
Bastrop, Baron de, 60-65, 305.  
"Bayou City," 241.  
Bean, Peter Ellis, 38, 55, 253, 295.  
Beaujeu, 4, 5.  
Bee, H. P., 226, 333.  
Bell, Chas. K., 280.  
Bell, Josiah, 64, 80.  
Bell, P. H., 227, 230.  
Bell, T. B., 81.  
"Belle, The," 5, 6.  
Bexar, 15.  
Bexar Archives, 16.  
Bienville, 295.  
Blackburn, E., 39.  
Blanco, 70.  
Blockade, 97, 240.  
Bolton, Herbert E., 15, 33, 52, 76, 166, 172, 215, 290, 294.  
Bonham, James B., 129-133, 320.  
Bowie, James, 117, 119, 129, 320.  
Bowles, 194.  
Boundary Troubles, 227.  
Bradburn, Jno. D., 97-100.  
Brooks, M. M., 280.  
Brown, H. S., 100.  
Brown, T. J., 278.  
Bryan, Guy M., 251, 252, 335.  
Bryan, Wm., 210.  
Buchel, 226.  
Bugbee, Lester G., 294, 298.  
Burleson, Edward, 120-123, 193, 195, 198, 202, 317, 319, 325.  
Burnet, David G., 72, 105, 137, 147, 154, 156, 157, 192, 314, 344.  
Burr, Aaron, 37, 298.  
Burton, I. W., 159.  
Bustamante, 95, 99, 100.  
Cabeza, De Vaca, 9, 293.  
Cadillac, 11, 12.  
Caldwell, M., 201.  
Calhoun, Jno. C., 330.  
Cameron, Capt., 205, 206.  
Campbell, Thomas M., 280-283, 341.  
Canary Island Colonists, 15.  
Canby, 239.  
Capistrano Mission, 28, 29.  
Capitals of Texas, 345.  
Capitol Burned, 257.

- Capitol, New, 260.  
 Carbajal, 97.  
 Carlisle, J. M., 343.  
 Cart War, 233.  
 Cave, Secretary, 237.  
 Cavalier, Abbé, 7, 8.  
 Centralists, 107.  
 Chanler, Capt., 200.  
 Charles II, 294.  
 Chaplin, 70.  
 Chevalie, 226.  
 Childress, G. C., 163.  
 Chilton, Horace, 346.  
 Cherokees, 193.  
 Civil War, 236-244.  
 Clark, Geo. W., 265.  
 Clarke, Edward, 235-238, 332.  
 Clay, Henry, 330.  
 Coahuila, 73, 95, 106, 111.  
 Coke, Richard, 251-254, 335, 346.  
 Coleto, Battle of, 142.  
 Collinsworth, Geo. M., 158, 189, 326.  
 Colquitt, O. B., 280.  
 Columbia, 345.  
 Comanche Chiefs, 194.  
 Compromise of 1850, 228.  
 Concepción, Battle of, 117.  
 Concepción Mission, 26, 27.  
 Confederate Home, 264, 268.  
 Confederate Reunion, 269, 274.  
 Congress, First, 187.  
 Constitution, 106, 347.  
 Consultation, 119.  
 Conventions at San Felipe de Austin, 104, 105.  
 Cooke, Philip St. George, 207.  
 Cooper, O. H., 343.  
 Cordova, 193.  
 Coronado, 9.  
 Cortez, 9.  
 Cortina, 236.  
 Cos, 114, 122, 129, 152.  
 Council House Fight, 194.  
 Cousins, R. B., 343.  
 Coxey Army, 265.  
 Crane, M. M., 262.  
 Crockett, David, 129, 320.  
 Crockett, J. M., 239.  
 Crozat, 12.  
 Culberson, Charles A., 267-270, 338, 346.  
 Culberson, David B., 338.  
  
 Dam, Austin, 266, 271.  
 Daughters of the Republic, 344.  
 Davis, E. J., 249-252, 334.  
 Davis, Jefferson, 241.  
 Dawson Massacre, 201.  
 De Bray, X. B., 233.  
 Debts, 231, 252, 331.  
 Declaration of Independence, 137, 163.  
 De León, Captain, 10.  
  
 De León's Colony, 67.  
 Delgado, 42, 301.  
 De Soto, 9.  
 Dewees, Letters of, 78.  
 De Witt's Colony, 66, 308.  
 De Zavala, 108-116, 137-147, 156, 187, 315.  
 Dickinson, Mrs., 145, 146, 323.  
 Dickson, D. C., 231.  
 Dowling, Richard, 241.  
 Douay, Anastase, 7, 8.  
 Drawing Black Beans, 204.  
 Duhaut, 7, 8.  
 Duran, 107.  
  
 Ector, M. D., 333.  
 Education, 342.  
 Edwards, Benjamin, 69-71, 308.  
 Edwards, Hayden, 69-71, 308.  
 El grito de Dolores, 294.  
 Elizondo, 42, 302.  
 Ellis, Richard, 137, 187.  
 Empresarios, 310.  
 Encinal del Perdido, 142.  
 Ernst, 84.  
 Espejo, 9.  
  
 Fannin, J. W., 117, 140-143, 324.  
 Farias, 107.  
 "Father of Texas," 189.  
 Fee Bill, 269.  
 Fence-Cutters, 258.  
 Fields, Chief, 71.  
 Filibuster, 36, 294.  
 Filisola, 154, 157.  
 Fisher, W. S., 202-204, 327.  
 Flag, Lone Star, 329.  
 Flanagan, J. W., 340.  
 Floods, 270.  
 Flores, 193.  
 Ford, Colonel, 244.  
 Fort St. Louis, 6.  
 Fort St. Louis on the Illinois, 7.  
 Fredonian Rebellion, 71.  
 French Claims on Texas, 1-9.  
  
 Gachupin, 43.  
 Gaines, Capt., 40.  
 Gaines, R. R., 278.  
 Galveston, Origin of Name, 302.  
 Galveston Island, 44, 46, 47.  
 Galveston Retaken, 240.  
 Galveston Storm, 271.  
 Gano, R. M., 333.  
 Garcia, 66.  
 Garrison, Geo. P., 289, 290, 292-296, 323.  
 Gary, 324.  
 Gary, Hampson, 339.  
 Gibbs, Barnett, 251.  
 Gil y Barbo, 15.  
 Girls' College Industrial Arts, 277.  
 Goliad, 30, 41.



- Goliad, Capture of, 117.  
 Goliad, Massacre, 144.  
 Gonzales, 67.  
 Granger, General, 245.  
 Granbury, H. B., 333.  
 Grant, Doctor, 124, 140, 319.  
 Grant, President, 252.  
 Grass Fight, 318.  
 Grayson, Peter W., 158, 326.  
 "Grays, The," 120, 312.  
 Green, Tom, 239, 333.  
 Greer County, 259.  
 Greer, E., 333.  
 Greer, John A., 227.  
 Gregg, John, 333.  
 Griffin, 247.  
 Grito, 107, 311.  
 Gutierrez, 40, 42, 47, 301.  
  
 Hamilton, A. J., 333.  
 Hamilton M. C., 346.  
 Hancock, General, 248, 334.  
 Hardeman, Bailey, 156.  
 Hardeman, W. P., 333.  
 "Harriet Lane," 240.  
 Harris, Mrs. Dilue, 87, 179.  
 Harrison, J. E., 333.  
 Harrison, Thos., 333.  
 Harrisburg, 345.  
 Hastings, Thomas, 105.  
 Hawkins, 62.  
 Haynes, Jno. L., 333.  
 Hays, Jno. C., 199, 226.  
 Hemphill, John, 346.  
 Henderson, J. P., 211, 224-226, 329, 346.  
 Henderson, J. W., 231.  
 Herrera, 44, 46, 213, 299.  
 Hidalgo, 13, 36.  
 Hockley, Geo., 325.  
 Hogg, J. L., 333.  
 Hogg, J. S., 262-266, 337.  
 Hollingsworth, O. N., 343.  
 Hood, John B., 333.  
 Hood's Brigade, 243.  
 "Horse Marines," 159.  
 Horton, A. C., 226.  
 Houston City, 345.  
 Houston, D. F., 280.  
 Houston's Retreat, 145.  
 Houston, Sam, 105, 106, 116, 125, 138-149, 169, 186, 192, 198-211, 225, 235-237, 240, 313, 314, 325, 332.  
 Hubbard, R. B., 251, 254, 255, 335.  
 Huicar, 26.  
 Hunt, Memucan, 191.  
 Hunter, John Dunn, 71, 309.  
 Huston, Felix, 190, 191, 195, 280.  
  
 Independence, Declaration of, 137, 163.  
 Indians, Native, 16-22.  
  
 Ingram, Ira, 187.  
 Ireland, John, 251-260, 336.  
 Iron Clad Oath, 334.  
 Iturbide, 37.  
  
 Jackson, President, 157, 158.  
 Jester, Geo. T., 267.  
 Johnson, A. R., 333.  
 Johnson, President, 245, 246.  
 Johnson, F. W., 99, 104, 121, 123, 125, 138, 140.  
 Johnston, Albert Sidney, 191, 226, 333, 345.  
 Jones, Anson, 212-214, 328.  
 Jones, G. W., 246.  
 Joutel, 4, 6, 7, 9, 292.  
 Journal, Austin's, 99, 100.  
  
 Kaufman, D. S., 225.  
 Kemper, Samuel, 40, 41.  
 Kennedy, M. M., 220.  
 Kendall, J. S., 343.  
 Kerr, James, 66.  
 Kimble, H. S., 137.  
 King, Captain, 140, 141.  
 King, W. H., 333.  
 Kinney, 226.  
 Kleberg, R. W., Jr., 84.  
 Know Nothing Party, 233.  
 Kuykendall, J. H., 86.  
  
 La Bahia, 12.  
 Lafitte, 44-47, 304.  
 Lallemand, 304.  
 Lamar, Mirabeau B., 155, 186, 192-198, 325, 326.  
 Lane, W. P., 333.  
 Lanham, S. W. T., 275-280, 340.  
 La Purisima Concepción, 295.  
 La Salle, 2-9, 290-293.  
 Lee, Robert E., 244.  
 Lefevre, Arthur, 343.  
 Letona, 97.  
 Lewis, Mark, 201.  
 Lincoln, President, 236.  
 Liotot, 7, 8, 9.  
 "Lively, The," 62, 64.  
 Lockett, 40.  
 Long, James, 47, 48, 304.  
 Long, Mrs. Jane, 53.  
 Lottery, The Fatal, 204.  
 Louis XIV., 1, 3, 9.  
 Louisiana Ceded to Spain, 15.  
 Louisiana Purchased by U. S., 39, 299.  
 Lubbock, F. R., 239.  
  
 Mabry, H. P., 333.  
 Madero, 97.  
 Magee, Augustus W., 39-41, 300.

Magruder, General, 240.  
 Map of Boundary of 1850, 230.  
 Map of Eras I. & II., 11.  
 Map of Eras III. & IV., 63.  
 Map of Houston's Retreat, 148.  
 Map of San Jacinto Battle Ground, 151.  
 March Second, 137.  
 Margil, 26.  
 Martin, Marion, 260.  
 Martin, Captain, 116, 147.  
 Martinez, 59.  
 Marque, Letters of, 46.  
 Massacre, Dawson.  
 Massanet, 10, 293.  
 Matagorda Bay, 4.  
 Matamoras Expedition, 124.  
 Maxey, S. B., 333, 346.  
 McCulloch, Ben., 226, 333.  
 McCulloch, H. E., 226, 333.  
 McGloin, 310.  
 McKim, 300.  
 McKinstry, Geo. B., 98.  
 McMullen, 310.  
 Medina, Battle of, 42, 301.  
 Mejia, 101, 102.  
 Memorial, 105.  
 Mier, Expedition, 202.  
 Milam, Ben, 117, 121, 122, 317, 318.  
 Military Rule, 245.  
 Millard, 325.  
 Miller, J. B., 104, 106.  
 Mills, Roger Q., 346.  
 Mina, 302.  
 Missions, The, 22-31, 294-298.  
 Moderators, 208.  
 Monclova, 112.  
 Moore, John, 116, 195.  
 Moore, Commodore, 210.  
 Morgan, James, 210.  
 Moranget, 7.  
 Morelos, 36.  
 Morfit, 158.  
 Murrah Pendleton, 242-245, 333.  
 Musquiz, 38, 299.  
 Nacogdoches, 15, 19, 31, 45, 69.  
 Nacogdoches, Missions Near, 295.  
 Napoleon, 302.  
 Navy, Texas, 158, 209.  
 Negro Uprising, 232.  
 Neil, J. C., 121, 122, 124, 125, 128.  
 Nelson, A., 333.  
 Nepotism Law, 280.  
 "Neptune, The," 241.  
 Neutral Ground, 39, 299.  
 New Capitol, 260.  
 Ney, Elizabeth, 275, 340.  
 Nika, 7, 8.  
 Nolan, Philip, 37, 298.  
 Norris, Samuel, 70.  
 North Texas Normal, 275.  
 Nuestra, Señora de la Guadalupe, 290.

Nuestra, Señora de los Dolores, 291.  
 Nuevo León, 73.

Old Stone Fort, 15, 292.  
 Oil, Discovery of, 273.  
 Palmer, Martin, 72.  
 Palmito, 244.  
 Pardon Advisors, 266.  
 Parker, Cynthia Ann, 331.  
 Parker, Quanah, 331.  
 Parsons, W. H., 333.  
 Pasteur Institute, 277.  
 Peabody Fund, 336.  
 Peach Point, 187.  
 Pease, E. M., 231-234, 249, 330.  
 Pedraza, 103.  
 Pendleton, Geo. C., 262.  
 Penitentiary, 254.  
 Perote, Fortress, 206.  
 Perry, Colonel, 40, 42, 43.  
 Perry, Mrs. Jas. F., 187.  
 Philip II., 10.  
 Piedras, 99, 102.  
 Pig Causes Trouble With France, 327.  
 Pilgrim, T. J., 79.  
 Pilsbury, T., 225.  
 Plum Creek, Battle of, 195.  
 Point Bolivar, 48, 54.  
 Polk, President, 211.  
 Potter's Description of Alamo, 323.  
 Potter, Robert, 155.  
 Powers and Hewitson, 310.  
 Prairie View Normal, 256.  
 Prather, W. L., 280.  
 Pritchett, H. C., 343.  
 Prohibition Amendment, 260.  
 Pronunciamento, 311.

Quintana, 345.

Railroad Commission, 263.  
 Raines, C. W., 289.  
 Ramon, Diego, 13.  
 Randall, H., 333.  
 Rangers, Texas, 192, 226.  
 Reagan, John H., 264, 337, 346.  
 Refugee, 29, 140.  
 Regidores, 74.  
 Regulators and Moderators, 208.  
 Renshaw, 239.  
 Republic of Fredonia, 71.  
 Republic of the Rio Grande, 195.  
 Retreat, Houston's, 145-149.  
 Revolution, Causes of, 95, 96.  
 Rigault, 304.  
 Roberts, O. M., 255-257, 336.  
 Robertson, Felix H., 333.  
 Robertson, J. B., 333.  
 Robertson, Sterling, 310.

- Robinson, J. W., 119, 125, 177.  
 Rosillo, Battle of, 41.  
 Ross, L. S., 260-262, 331, 333, 337, 340.  
 Ross, Reuben, 40.  
 Royalists, 40.  
 Runaway Scrape, 146, 179.  
 Runnels, Hardin R., 234, 331.  
 Rusk, Thos. J., 154, 190, 217, 225, 329, 346.  
 Russel, William, 100.  
  
 Sabine Pass, Battle of, 241.  
 Saint Denis, 12, 13, 14, 294, 295.  
 Salado, Battle of, 201.  
 Salcedo, 41, 42.  
 Saligny, 192.  
 Saltillo, 73, 112.  
 Sam Houston Normal Institute, 256.  
 San Antonio de Bexar, 13, 14, 15, 25, 30.  
 San Antonio, Capture of by Milam, 122.  
 San Antonio de Valero, 26.  
 Salcedo, 41, 42.  
 San Felipe de Austin, 66, 345.  
 San Francisco de la Espada Mission, 29.  
 San Francisco de los Tejas Mission, 10.  
 San Jacinto, Battle of, 148-154, 169, 172-175, 282.  
 San Jacinto, Battle-ground, 282.  
 San José Mission, 26, 27.  
 San Juan Capistrano Mission, 29.  
 San Miguel de Linares Mission, 291.  
 San Saba Mission, 29.  
 Santa Anna, 102, 103, 107, 108, 110-113, 126, 144, 157, 177, 312, 313, 325.  
 Santa Fé Expedition, 195.  
 Sayers, Jos. D., 270-275, 339.  
 Scaling Debts, 331.  
 Scott, Winfield, 226.  
 Scurry, W. R., 226, 333.  
 Seguin, 60.  
 Sesma, 146.  
 Sherman, Sidney, 325, 344.  
 Sibley Expedition, 239.  
 Sindico, 74.  
 Slaughter, J. E., 244.  
 Smith, Ashbel, 212, 213, 327, 328.  
 Smith, Ben Fort, 88.  
 Smith, "Deaf," 120, 147, 149, 308, 324.  
 Smith, Henry, 119, 123-125, 162, 319.  
 Smith, Kirby, 244.  
 Smith, Thomas, 200.  
 Snively Expedition, 206.  
 Somervell, General, 202.  
 South West Normal, 277.  
 Spanish Claims, 9.  
 Spanish American War, 270, 339.  
  
 Steele, Wm., 333.  
 Stockdale, F. S., 242.  
 Stock and Bond Law, 266.  
 Stone Fort, 15, 296.  
 Story, L. J., 255.  
 Sugar Bounty, 265.  
 Supreme Court, 189, 278.  
  
 Taylor, Mrs. Bride Neill, 340.  
 Taylor, President, 225, 226.  
 Tawacanies, 86.  
 Teran, 96.  
 Terrell, A. W., 279.  
 Terry, Rangers, 243.  
 Texas Exchanged, 47.  
 Texas Indians, 15-22.  
 Texas, Origin of Name, 294.  
 Texas Quarterly, 84, 86, 87, 179.  
 Texas Rangers, 192, 226.  
 "The Grays," 120, 312.  
 Thompson, Waddy, 206.  
 Thorn, Frost, 310.  
 Throckmorton, J. W., 334.  
 Toledo, 42, 43, 301.  
 Tonkewas, 86.  
 Tonty, 6, 293.  
 Travis, W. B., 98, 129-133, 323.  
 Travis' Letter, 130.  
 Treaty with Santa Anna, 155.  
 Trespalcacios, 48.  
 Turtle Bayou Resolutions, 99.  
 "Twin Sisters," 149.  
 Tyler, President, 210.  
  
 Ugartachea, 100, 101, 115.  
 University, 257, 258, 268, 279, 280.  
 Urrea, 140, 141.  
  
 Vasquez, 199.  
 Van Zandt, I., 211.  
 Vehleiu, J., 310.  
 Velasco, Capture of, 100.  
 Veramendi, 60.  
 Veterans, Texas, 282.  
 Victoria, 68, 308.  
 Vince's Bridge, 149, 152.  
  
 Waco, The, 81.  
 Waggener, Leslie, 268.  
 Walker, General, 226.  
 Wainwright, Commander, 240.  
 Ward, Wm. 140.  
 Ward, Matthias, 346.  
 Washington on the Brazos, 345.  
 Waterhouse, Richard, 333.  
 Waul, Thomas N., 333.  
 Webster, Daniel, 330.  
 "Westfield, The," 241.  
 Wharton, J. A., 333.  
 Wharton, William H., 104-106, 119, 187, 191, 313.

Wheeler, T. B., 260.  
"White Cow," Skirmish of, 300.  
Whitfield, J. W., 333.  
Wigfall, L. T., 333, 346.  
Wilkinson, General, 295.  
Williams, F. E., 278.  
Woll, Adrian, 157, 201, 202.  
Wood, George T., 227, 330.

Woodbury, J. L.,

Ysleta, 293.

Zacetecas, 112, 113.

Zavala, Lorenzo de, 108-116, 137-  
147, 156, 187, 315.



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